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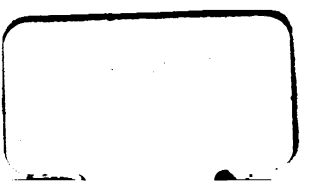

CO
(Devizes)
Waylen

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Chronicles

OF

THE DEVIZES,

7319

BEING A

HISTORY OF THE

CASTLE, PARKS AND BOROUGH

OF THAT NAME;

WITH NOTICES

STATISTICAL, PARLIAMENTARY, ECCLESIASTIC, AND BIOGRAPHICAL,

BY JAMES WAYLEN.

SUPPLIED FOR THE PUBLIC SERVICE

London:

PRINTED FOR THE AUTHOR, AND SOLD BY
LONGMAN AND CO., PATERNOSTER ROW
AND T. B. SMITH, DEVIZES.

1839.

LONDON:
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59, Museum Street.

PREFACE.

The object and character of a work bearing the title of the present must be so obvious to all, that preface seems hardly necessary except for the purpose of saying a few words on the sources of information, and paying that just tribute of respect which is due to the gentlemen who have assisted me in the undertaking.

The history of this Country during the middle ages has already derived much elucidation from the publishing of the Tower-Records; and although it will remain comparatively defective till that publication is complete, yet to have deferred the history of Devizes till such a doubtful period should arrive, would have been a virtual relinquishing of the task.

The observations in the municipal department are taken in a great measure from the reports lately published by Government. With regard to such as are not, I think it only necessary to say that they have been drawn up with considerable care, and with an anxious desire to offend no living man.

A great deal has been written about Wiltshire and its antiquities, but I cannot help thinking that no writer has sufficiently studied the moral influence which its inhabitants and principal families have ever exercised in the revolutions of the state. With this view, much might have been added and many names introduced in the present work, with reference to the great civil wars: but I willingly leave this point to be more ably discussed by Mr. Hatcher, in his forthcoming work on Salisbury. To this gentleman I am indebted for the whole of the documents relative to the disposal of the Castle under Bishop Joceline's prelacy.

The other gentlemen who have supplied me with valuable materials are the Rev. Edward James Phipps, Mr. Paul Anstie, Mr. George Anstie, and Mr. T. B. Smith, of Devizes and Mr. Britton of London.

CHAPTER I.

OPENING REMARKS—OPINIONS OF DR. DAVIS AND OTHERS ON THE ORIGIN OF THE TOWN—DEATH OF WILLIAM BAXTER—SOME ACCOUNT OF THE FAMILY OF STUKELEY—RECEIPT FOR ANTIQUARIES, AND CRITIQUE ON THE SCHOOL OF MEDICINE OF THE LAST CENTURY.

When undertaking to give the history of nations or smaller communities, historians and biographers have always exhibited the very natural desire to begin if possible at the beginning. Their repugnance to the idea of raising a "baseless fabric" is such, that when unable to discover a legitimate and undoubted origin; their next step has been to set about manufacturing one. Such practices, to be sure, are becoming less and less available in the present day, when writers who presume to venture into doubtful paths, without suitable provision and armour of *proof*, are liable to sudden and disgraceful defeat. Even if this were not the case, there is something so unsatisfactory to the mind, in putting forth statements, or only suggestions, of the truth of which we feel not fully assured, that at first sight it appears surprising that real lovers of history should so often have indulged

in such a course. It is however undoubtedly true that many who have made the most laborious researches to ascertain truth *for themselves*, have in many cases been the same persons not only to profess a belief in the vain fancies of hoary legends, but to attempt to foist on mankind other figments of their own brain. The moving principle in such must be, a desire to serve the purposes of some party feeling, or else to be regarded as oracles by the unlearned. Hector Boethius for instance must have shared pretty largely in gratification this latter ~~gratification~~, when he garnished the annals of Scotland with his comely catalogue of kings before the fifth century; furnishing for each of them, a life, character, and eventful reign; and basing his "History" on such authorities as Cornelius Hibernicus and a variety of other authors whom the world had never known, or heard of.

On the other hand it is necessary to guard against becoming the victims of our own incredulity, and of rejecting statements, the truth of which we have never taken the trouble to investigate; merely because they appear improbable. This cautionary process, it will probably be thought, is an unnecessary introduction to the examination of a subject so unimportant as the present; but the fact is, that the interest attached to such enquiries, is frequently not at all in accordance with the importance they possess. In fighting about a mere word, men have been as guilty of violent language and party spleen, as if

disputing their claim to an estate; and questions of a philological nature, have often appeared arrayed in additional dignity in proportion to the cramped and limited extent of the orbits to which they were necessarily confined. The reader must not therefore feel himself aggrieved, if a problem which has already perplexed so many heads, though its object be nothing more than the origin of a country town, should be once more fairly hauled over; and that the very circumstance of its having been so often and so unsuccessfully treated, should of itself be regarded as investing it with an interest sufficient to claim his attention for many pages to come.

Without further comment therefore I shall proceed, first, to specify what was the primitive spelling of the modern word Devizes; and then to detail the various hypotheses and conjectures to which the singularity of that name has given rise. The word made use of by William of Malmsbury, and in most of the public records, by all such authorities, in short, from whom we might reasonably expect accuracy, is one in the plural number. It is Castrum Divisarum—Villa Divisarum—Burgenses Divisarum, and if the former words are omitted for brevity, it becomes Divisæ. This plurality it has retained almost to the present day, the prefixing of the definite article, in the case of public documents, having become totally laid aside, only within a few years. Without referring to the numerous readings which a copious Italian dictionary will furnish under

the head Divisa; it seems the most legitimate course, to adopt the ordinary and natural rendering of the past participle of Divido, and translating Divisæ as divided—partitioned off—or alienated, connect it with some such word as terræ or partes. This gives it the exact meaning of the Saxon Kenninga from Kennan to cut, and has given rise to the following theory. That Divisæ is only the Latin expression (made use of in legal documents) of Kannings, and entertaining this view, Devizes may be the "Kainingham" of Doomsday book. It has been usual to regard this name as the ancient one of the present village of Bishop's Cannings, but it seems very unnecessary to go to Kainingham for this latter, when we possess the much more suitable name of "Kaninge" which has remained almost unmutilated down to the present day. The termination "ham" from originally signifying a house, came to imply a street or town, and still exists in many names, as Nottingham, Shoreham, Chippenham, East and West Ham. Kainingham or Kanningham it is therefore presumed may mean the principal town in Kanings. Or the "*Borough of Bishop's Cannings*" an expression which actually occurs in a document of Charles 1st's time written by John Kent, Esq. This opinion however is only thrown out as a plausible conjecture; it is incapable of any substantial proof, and still leaves in obscurity the reason which first occasioned the idea of partition being attached to the spot or to the district; ~~That such however was the idea~~ Though it is evident that such was the idea

intended to be conveyed, [illegible] from the circumstance of Florence of Worcester always writing it Divisio. The greater part of the other conjectures on this subject have been brought forward in so amusing a manner by Dr. Davis, a Physician of Devizes, in his "Origines Divisianæ" that I make no scruple of relieving myself of the task of so much recapitulation and arrangement by just transcribing the whole of that portion of his little work which refers to this point. A step which will also possess the advantage of exhibiting the style of that writer, and of laying before the inhabitants of Devizes, no inconsiderable portion of a treatise on their town, which is now become so scarce that it is probable not three copies could be found in the place. The "Origines" were compiled in the form of letters to a friend and written in the years 1750 and 1751. The design of the work being, not only to narrate the principal incidents connected with the early history of the Town, but also as a satire on Dr. Stukeley, Dr. Musgrove, and others, and on credulous antiquaries in general. In the following extracts, the plan of the letters will necessarily be overlooked. He opens the subject with the following remarks.

"There is a particular fondness in all mankind that I have yet met with, for the places of their nativity. Whether this preference be woven in our constitutions or is the effect of education, cannot certainly be determined. Other incidents may fall in, connexions with relatives and friends,

particular interests, or the pleasing remembrance of the innocent amusements and diversions of childhood, may have their share in forming it. I am not therefore surprised at your affection for The Devizes, nor at the constant enquiries you are making among your friends, concerning its antiquities. This passion Virgil seems to have felt in a natural manner when he makes his shepherd complain so feelingly,

"Nos dulcia linquimus arva."

And when the course of the Georgick brings him in sight of his Mantua, he laments its ruin in the following passionate line,

'Et qualem infelix amisit Mantua campum."

"To gratify this desire of yours I have catched at every thing relating to your town, which casually offered itself in the progress of my studies, and if any particulars occurred, I thought myself possessed of a valuable acquisition, because it would give you pleasure. The few that have come to my knowledge I communicate to you."

"Those who are but moderately acquainted with the study of the early English antiquities, must soon have been convinced that they are engaged in a dry uncomfortable task, and obliged to plunge through many difficulties, and puzzle through a variety of perplexities; the originals of facts lying confused and involved, and are to be found out only, like rattle snakes, by their tails. Here truth is as closely blended with error, as lights and shades in painting, it being very diffi-

cult even to a discerning eye, to determine in a well executed picture, where the shade ends or the light begins. The monuments which the Romans left behind them in Britain are greatly disfigured and changed by the barbarity of the succeeding conquerors: they left no traces or acts of sciences behind them, and indeed nothing but what is now become valuable ruins. These though they have greatly advanced the prices of estates, yet have embarrassed the English antiquary. His curiosity however is not to be censured for making attempts towards explaining them, if his views are but properly regulated. Would the writers upon these subjects permit modesty and reason now and then to step into their minds, they would restrain their loose imaginations, and keep within the bounds of useful and beneficial knowledge. Their readers too would be freed from perusing long and lifeless books, made up chiefly of fanciful suppositions instead of well grounded facts; which has been too much the case in the point before you."

"The later authors, who mention this town are desirous of giving it an early original. I will acquaint you with their sentiments, and leave them to your own decision as well as the cursory remarks that lie intermixed. Some would have this town British—some Roman, and others Saxon. They who contend for its being British assert Dunwallo to have been its founder, or Divisus. The first opinion has had the ill fortune to be supported, neither by facts, nor even by pro-

babilities. Dr. Stukeley is a kind of a sort of patron of the last. Though in his Itinerarium Curiosum (page 136) he earnestly contends for this town, being the same with the "*Punctuobice*" of an anonymous writer of Ravennas, and by this gives it the honour of a Roman structure; yet in his Stonehenge (page 48) he is in some distress to determine, whether it might not have been built by an old British king, whom he himself christened Divitiacus. These curious suggestions will by and bye regain an attentive consideration when your friend has nothing else to do."

"I know of no authorities relating to the British affairs, that go farther back than the account delivered by Julius Cæsar; and the succeeding classical authors themselves assure us that he knew little more than their outlines. The subsequent writers are too general to be proper evidences for the doctor. I never heard of any ancient books remaining of the Britons: they are all lost, if they ever subsisted. The language only remains, and the recondite antiquary founds facts of history upon the radixes of this, as the mysterious Hutchinsonian builds systems of philosophy upon Hebrew ones. These etymologies have furnished out great attempts for wonderful discoveries, the words having been tortured and woven into a delicate contexture of flimsy probabilities."

"Musgrove thinks it a Roman town, but the ancient name lost (see Belgium Britannicum, vol. 1. page 124.) He has produced some grounds

for his conjecture, from the many Roman antiquities found in its neighbourhood. I wonder that the antiquaries have not availed themselves of the advantages that arise from its name; from hence might start a pregnant hint for a visionary in antiquities. The word Devizes is very near the Latin Divisæ. This looks something like a Roman word, and indeed could the word be traced clearly back to the Roman times, it would be a reasonable proof of the place itself being a Roman work. The Romans left Britain about the year 476; the Saxons and Danes kept possession till 1066; barbarous and ignorant nations, who extirpated the people, and almost the language of Rome. The Monks however preserved some relics of the tongue out of this general devastation. William of Malmsbury the most accurate and sensible writer of all the Monkish historians, has retained some Roman names of towns. Among others, he calls the Bishop of Lincoln, Episcopus Lind-colniensis, that is Lindi coloniæ. This writer all along calls this town Divisæ. But Roger Hoveden, under the years 1063 and 1072, and Dugdale's Monasticon use this word for *boundaries;* and the ancient lawyers as Bracton and Fleta. Whether these intimations are credible, or what these boundaries meant, the author will not take upon him to determine."

"It is by no means probable that this town was a Saxon building in the time of Alfred, as the annotator on his life is reported to have advanced; for the name would then have had some Saxon

termination, which no one has yet ventured to assert. Nor can it be allowed to have had its name from a division of lands between king Stephen and Roger, Bishop of Salisbury; because the grant of these lands was made to Roger before Stephen was king; and no division of lands appears to have been made, or possibly could be between Stephen and Roger, as will appear below. So that all the scene here laid before you is, like Milton's Chaos,

'As dark as Erebus, or Night.'

"The Roman coins and Penates found in its neighbourhood, do not prove the town Roman, because these might have been hid in fields. It is very reasonable to believe it a town not known in or near Antoninus's time, because no traces can be found of it in his Itinerary. That it was the Punctuobice of Ravennas wants clearer proofs than can be wire-drawn from an unmeaning, unaccountable, and an absurd Etymology. Though the Via Icena, according to Mr. Wise, (see Wise's White Horse, p. 43) points to Abury, it does not prove that it passes through the Devizes. There are no marks left of any Roman works in or near the place, unless that near Roundway-hill be a Roman camp; which would prove as well Calne, and all the towns under The Downs, which have Roman camps in their neighbourhoods, to have been Roman. Another reason why it could not be so, may be derived from the nature and situation of the place. The Romans were too well instructed to build a town at such a distance from

a river, unless upon a causeway; at which Mr. Wise has made a fair point, but nothing arose. Mr. Camden with his usual prudence and judgment has kept clear of all intimations that might carry this place into any remote antiquity. We can indeed go no farther back than where you have often formerly played, the Castle; which engages you even now in amusements almost as trifling and insignificant as the diversions of childhood. But since we are come to this spot, here you may set your foot upon firm ground. I am obliged however to tread with caution, and to follow the footsteps of the earliest Monkish historians; for their successors are very busy in adding largely to their facts; they are not contented to deliver them as they were handed down without intruding some of their own unaccountable inventions into the situations of their predecessors. You may hence conclude that I have a strong passion for antiquities; yet there is no one that gives me so much pleasure as an old friend, which I am satisfied you are to him, &c., &c.

"————" "An old woman who shewed Lord Bathurst's fine place by Cirencester, was asked by a gentleman that came to see it, 'Pray what building is that'—'Oh sir that is a ruin a thousand years old, which my lord built last year, and he proposes to build one this year, half as old again.' This absurdity is scarce greater than what is seriously practised by modern antiquaries. Dr. Stukeley is for carrying the Castle of The

Devizes into the legendary state of the old woman."

"———— You have seen that castles have their periods; they rise, flourish, and decay; and seem as mortal as the man that built them. Though they were once noble and amazing structures, they were, as Rome has been, and as my Lord Mayor's house will be, ruined by their own greatness. They ought not however to dazzle our eyes so much as to make us conclude upon the greatness of their age from that of their bulk. No further allowance should be given to their years than that which is justified by authority; and this will not allow you to go one step farther back for the origin of your castle than the year 1132. Then it was certainly built. But what weight can so puny an author as your friend is, who never yet published a sixpenny pamphlet, have against so ponderous an author of some Folios? Mine is like the fate of Hector in Homer, or Turnus in Virgil, or the Devil's in Milton, which

'Flew up and kick't the beam.'

"I acknowledge myself to be a mean Cockney to that great hunter after objects of antiquity, the renowned Antiquary of Lincolnshire, the in-incomparable—incomprehensible—inconvincible Doctor Stukeley, who affirms—very peremptorily affirms 'That the town was enclosed by the Romans with a vallum and ditch,' though no traces of a vallum and ditch appear to any eye but his own. That 'this town took in the castle,

which was originally Roman, but afterwards rendered impregnable by Roger, Bishop of Salisbury." I humbly conceive, the Roman castle, here mentioned, did not formerly stand on the hill where the windmills are now placed, but in the air."

" You see the town is not only Roman, but the castle too, without the least probability or the shadow of a proof. If the town must be linked with the castle the former had better be fixed to the true date of the latter. This I confess will degrade it in the eyes of all zealots of antiquity, by paring it down from a Roman to a Norman structure, yet this is the most reasonable opinion. The extent and magnificence of the castle must have furnished a number of attendants suitable to its greatness. Bread, meat, herbs, clothes, and utensils are the calls of necessity; which must be supplied by bakers, butchers, brewers, gardeners, shoemakers, taylors, manufacturers and mechanics. You see there is instantly a set of inhabitants fixed without the walls, to answer the exigencies of those within. The cloistered monks indeed kept arts and sciences close within their walls, which were scarce ever known to come abroad but once—at the Reformation; but this was not the case with castles. This great one then produced the town, as naturally as a Palace begets a village; or a great Lord, villians."

" As I am just come to the town after a fatiguing pursuit, it is necessary to pull in and enter coolly. I shall take a peep over the pales at your

villa, which is one of the most natural *modern* antiquities that has yet been seen, &c. &c."

"——— As to your town, no doubt but it was ancient, as has been asserted above, but not quite so old as the Flood, Babel, Babylon, or Rome. The inhabitants are not the worse for not having long pedigrees of Roman blood in their veins; they may be contented with a descent no earlier than the Normans. It is honour enough in these days to derive our blood from the French, for we are not like to draw it from them any other way. Surely that nature was the common stock of all the Europeans; who are all dwindling into beaux, dancing masters, musicians, fribbles, and gamesters. Witness the genteel pig-tail, the graceful movement, the harmonious hum, the jessamy cock of the hat, and the tradesmen's books. They seem very much like your gallipots, which are lately gilded and new-lettered by order of the College of Physicians. They are all gold without —but bitterness within. The complexion of the present age you see, pleads strongly for this original, and carries this hereditary claim still farther. Not only the cut of their clothes and their diet, but their language is brought irresistibly into fashion. I hope for the sake of old England, that our acts of parliament will continue some time longer in English, though it is to be feared they may not do so, since the articles of a late peace have been penned in French; and since an able speaker at the head of the War office is fond of crowding French phrases into English parliamen-

tary debates. You, sir, in your place, have partaken of this degeneracy, and expelled the few remains of the old honest laborious Saxons; who early submitted to, and were incorporated with the Normans. They were wool-pickers, wool-combers, weavers, clothiers, and dyers. The industry of these brought riches into your town, which were preserved under the faithful custody of frugality. But now how are you changed—into delicacy and poverty—into embroidery on one day of the week, and dirtiness on all the rest—sacks are thin in your market-place on Thursdays, but thick in your churches on Sundays. You have turned the grating of your wool-combs into the scraping of fiddles; the skreeking loom into the tinkling harpsichord, and the thumping fulling-mills into a glittering and contentious organ. Scents of perfumes are in your churches; your houses are ornamented with Bath stone, wrought into pediments, entablatures, and pillastrades; your market-house—a stranger to wool-packs is metamorphosed into a theatre for balls, concertos and oratorios. So much for the present liberties of the Town, &c. &c."

"————You must now give me leave to address myself to you in a more particular manner, with that old fashioned frankness that would not flatter an enemy—to make him his friend. You had always a natural taste for antiquities, especially for the English. Your honest passion has been steady to the roast beef and strong beer of old England. You love the roughness of the old in-

nocent and hearty ages, better than the modern gay, refined, effeminate manners. Your integrity has made you open, undisguised and sincerely blunt; and has given an antique cast to your whole composition. You have constantly retained a veneration for the Druids of your country and have amused yourself some years within the hollow of a tree. This is your cave of contemplation, lined with slabs, and stuccoed with moss. Your couch is covered with the same and matted with the peelings of the bark of trees. Your table is a chopping-block, your dishes platters, your plates trenchers, and your chairs are chumps of wood. Nature having given you two hands, supplies you with knives forks and spoons. Every noon and night, you sacrifice to your god Pan a goblet of barley wine. Your eyes every day are feasted sufficiently with a peep at the outside of three churches. Your ears are entertained with the sweetest of all musick, a natural oratorio of birds. Flowering shrubs perfume your nostrils, and you enjoy the conversation of your faithful Houyhnhnms. The gratification of all the senses lies within your reach; you live in the fruition of nature, without envy or restraint. With you I go back to distant ages two thousand years ago, and admire virtue in its original simplicity. To you therefore I address myself, who are formed by inclination to be an antiquary; to you I bequeath these sheets, not as a dedication, which among authors is a preamble or prelude to thinking; but as a codicil, the result of my most mature delibe-

ration—It is not a gift of value, but may serve as an amusement for a vacant hour, whenever you are disposed to be grave, or take a nap."

"Your friend has been an old stager in the tedious and uncomfortable tracks of antiquity, which have wanted mending, ever since Batteley* finished his Rhutupium. I whip through thick and thin, till I come to a convenient place to bait at. There I stop to refresh with proper necessaries; the conversation of the Landlord, and the information of the Clerk of the parish, the most conversable and intelligent person left in it; who keeps the records of it, and knows most of the antiquities in the neighbourhood. The squire, formerly a Fox hunter, is now generally slinking to London to hawk off a daughter, or in strong scent of a half-pay place, or a quartered pension. The parson is so perpetually engaged with his neighbouring brethren, that his parishioners never see him, but of a sunday; unless the squire come post from Town for a week, to wreck his tenants and carry away every farthing in the parish. After the information of my learned friends, and the mug is emptied, I jog on in search of antiquities; sometimes I stop to take a view of a barrow, an old dyke, a ruined wall or tottering steeple. If I see a camp any where, I ride full gallop, examine and carefully measure it. If it be a square I can tell you to an inch, where stood all its gates, the Ara, and Pretorium, and how many people it contained

* "The ingenious, sensible, and polite author of the Antiquitates Rhutupinæ."

exactly 1500 years ago. In the evening before I go to bed, I recollect the important events of the day, and write down my observations in the first words that offer, for that produces an easy diction. I express my thoughts as fast as they flow, for that makes a simplicity of sentiment. I avoid all revisals and corrections, for they render a composition stiff and laboured; in short I write just as you see, without thinking, without connexion, and without design. I make frequent bold, abrupt, eccentrical, and characteristical excursions, like my Lord Shaftsbury or a Comet. You see I am thoroughly qualified to execute on the minute and plebeian antiquaries the office of

"Censor castigatorque minorum."

"These as you have seen above, think your town at least Roman, and carry its age, as the Welsh do their pedigrees, beyond the utmost stretch of human conception. We have observed that Dr. Musgrave was of this opinion, who affirms the *village* must have been a *large* one; and he advances a step farther, and calls it a very ancient little town: but he imagines the ancient name lost. He proves, from the wine-vessel found here with Alexander's name upon it, that one Alexander a great man certainly resided in it, attended by his household gods. But this is not to be understood to be Alexander the Great or Alexander the Coppersmith, but—an Alexander—Alexander what's his name—a certain Alexander, a maker of crockery-wares. These hasty steps are nothing to the large ones of Dr. Stukeley. Believe me,

sir, at one progressive stride, he stalked over Dr. Musgrave's head, the line of right reason, and the extensive bounds of probability, with as much ease as Rich in the boxing match, jumped over the head of the Carman. The ancient name Musgrave had lost, Stukeley has found. Where? why where all antiquities lie concealed—in rubbish. He found it indeed with as much quickness, as Mrs. Squire found the longitude, and with an equal certainty. It was you must know, the *Punctuobice* of Ravennas. This Ravennas, I must inform you, is an anonymous writer, and upon that account is presumed to be better acquainted with the highways than any of his predecessors. He has recorded some stages that the Romans travelled in order to let his contemporaries and their posterity know where they could be readily supplied with proper entertainment and post chaises. From Leucomagus you go to Cunetzio—alias Cunetio—alias Marlbro'; then you proceed to Punctuobice, that is, Vies—Aye, there it is, in the very two last syllables; lay aside Punctuo and you have it in Bice.*"

* Stukeley's own language is the following "I suppose here is a remnant of the former part of the word Punctuobice in Poulshot a little village hard by; Pottern another; Pottern Wood, and the name of the hundred Pottern, taken in the first time of their divisions from such a corrupt appellation of this place; the last syllables bice subsist in the present name Devizes, vulgarly called vies." Itinerarium Curiosum. page 136. So persuaded was Stukeley at the time, of the truth of this conjecture, that in his engraved view of the Town, executed in 1723, it is denominated by this forgotten name. Instead of

"You see how subjects of this kind are to be managed; it is not however in the power of every body to have such a command. Dr. Stukeley is in possession of a true Roman Securis; it is his companion, friend, and guard. He uses it upon all occasions; if he meets with but an odd word, he lays it down fairly transcribed in *capitals*, and with one slight chop divides it; whatever remains on the right of the securis, is the right word. He pursues this religious opinion of the Romans with great exactness. The Grecians indeed valued the left side most, but the Romans after a complete conquest, changed hands with them. This sort of torture is usual among critics, but never carried to so severe a degree before, as to treat words as Procrustes did men—This gentleman is in the same instant Judge, Jury, and executioner; even as soon as the learned juggler blows, Bice is turned into vice and vice into vies. So that all that is left of this unfortunate word Punctuobice is the tail, which is looked on, as in vipers, as the only sensible part. Mr. Pope seems to have pointed out such minute critics to the life in the following line.

'They catch the eel of science by the tail.'

An elderly gentleman, witness to this sad catastrophe, broke out into the following pathetic speech of condolence. 'Alas, poor Punctuobice! thou

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seeking an explanation of the first part of the word in Pottern, it is rather surprizing that he did not found a theory on the apparent analogy between Divisæ, and punctum-biceps a point divided.

who hadst lain untouched a thousand years, wrapt up in obscurity and dust, in the corner of a library of monks, wert at last dragged out of thy snug retirement, and impressed into an army of virulent Literati; but in a little time you disappeared, afterwards wert caught and brought out as a traitor upon the scaffold of criticism, without one friend to support thee, for thy own Ravennas was not known.—Thou wert executed by the order and hands of the Inquisitor-general of words. Thou hadst not the honor of being beheaded, for that is only reserved for capital bodies; but to be halved, the ignominious fate of diminutive ones. How do I commiserate and share thy grief, when I recollect thy fondness and regret for the poor miserable orphan thou hast left behind thee—mayst thou oh Bice, meet a better fate.' Thus ended these melancholy words, with the sad solemnity; the execution was performed at one blow: the priestly butcher retired to some invisible place like a Druid —I beg pardon, I mean a Celtic, to his oak.— However he repented, took care of the orphan, bred him up and put him out in the world after having properly bound him; for the poor thing had lost his father and mother, and had not any one relation left in the world except one cousin-german whose name was Pooghen, of whom you will hear something by and bye. *

* "The foundation of these painful lucubrations, which are humbly submitted to the reader's judgment, may be found in a book full of uncommon erudition, ycleped *Itinerarium Curiosum* at the 76th and 108th pages, composed at night under the in-

"My regard and veneration for this incomparable Doctor oblige me to wait upon him a little farther, to shew you how artfully he tries to extricate himself out of this unsurmountable puzzle. In another learned book written by him, we are informed that one William Baxter, a profound antiquary, a haberdasher of hard words, well skilled in his native language, Welsh, and possessed with a national itch for verbal criticism, was at an uncommon loss to account for the word Punctuo, and confessed his ignorance on his death-bed. This distress threw him into a sedentary life, and a steady train of meditation. Under this situation, he received a visit from his old friend Dr. Stukeley, who stalking in, very dirty, just after his return from Stonehenge, enquired into the occasion of his melancholy and dejection of spirits; and talked with him as an antiquary and friend, and something like a Physician. As soon as the Doctor found the cause of his disease, and that the seat of it was in his gizzard, he cried aloud 'Poogh! the word comes from *pooghen*, which in German signifies an *arduous* work, as much as to say—the *castle*, which is said to have been the strongest in Europe.' * Baxter did not acquiesce in this peremptory decision, but replied, that William of Malmsbury and Matthew Paris give this character

fluence of painful dreams by Master William Stevckele. This book has a great many divertizing things in it; there are maps and pictures and tail-pieces, but upon turning it very attentively over, I could not find in the whole book one single head-piece."

* See Stukeley's Stonehenge. p. 48.

to Roger's castle only, and never hinted the least at any other castle more ancient, upon the same spot of ground. Baxter kept his temper for the present, for his spirits were not high enough to rise immediately into a passion.—These two had been old friends and intimate acquaintances, formed nearly out of the same materials; their minds were much alike, so that they valued each other, as Virtuosos should do, for the antique cast of their manners, and the venerable rust that stuck close about them. They imparted to each other, the important discoveries that they had made, long before they went to the press. Their friendship was closely connected by a chain of hard words. They perpetually disputed, but never convinced; their disagreements served for a constant fund of conversation, and kept them as steady in their affections, as a court balance exactly poized by different parties. Thus they had lived for years, till this fatal catastrophe happened, which was the unfortunate occasion of the death of poor Baxter, but evidently without any malice prepense. The Doctor made no other answer to Baxter's remonstrances, but cried aloud thrice contemptuously, Pooghen! A warm dispute ensued, and Baxter was treated with such unusual freedoms and such an inveterate asperity for his ignorance in the German tongue, and want of faith in an infallible Doctor, that all his Welsh blood flew instantly up into his face. He puffed powerful protestations, and poured plenty of proverbial parallogisms with pestiferous perfumes, into poor Pill's physiognomy.

The Docter started, retreated and spewed. In the same interim Baxter's adust constitution, having been almost reduced to touchwood, was thrown into such a violent fermentation, as to set fire to the brimstone he had been larded with, so that he died in a sudden combustion, and the man *multinominis*, the phœnix of the age, was reduced to ashes by his own odours."

"This indeed is a very tragical exit, but let us compose our grief, and return to the survivor of this *nobile par fratrum*. When Baxter was dead, his friend reigned alone and commanded words. But words have natural rights as well as men; they do not care to be turned out of possession without the previous forms, and some reasons offered for an ejectment. It is but just that they should have their titles examined, and evidence heard, before judgment is given. They have often had good success in courts of justice, and have recovered large costs from their plaintiffs misnomers. The Doctor it must be confessed, in another place acknowledges himself in some distress about this cumbersome word Punctuobice, but like an old staunch hound, will not give it up. 'Anonymous Ravennas' says he 'may possibly call it Punctuobice, but we have no certainty that his copy remains uncorrupt, or that he transcribed it right, nor what alterations the Romans made in the original word Devizes, nor what was made in the later or barbarous times. However there seems enough therein, as well as in the present name of the town, to countenance our conjecture! You

see at last he is not clear that the word ever was in Ravennas; and if it was, it might possibly have been altered by the Saxons, Goths, Vandals, or Franks; yet there is enough left to justify his conjecture; it is still therefore vies from vice, from Bice, from Punctuobice. Did you ever see such a Welsh or rather Irish pedigree—does it not put you in mind of that of king Pepin?

"The Doctor must be acknowledged to have been more fortunate in the following etymology, and very happy in the application of it. 'The Devizes is a town in the middle of Wansdyke, and very probably erected, among others, to secure the ditch or fortification. It seems to have been the capital fort or frontier town, and to have had its name from the king, as a trophy or monument of his power, built by him in person." * A little below he adds 'They tell us legendary tales about its being built by an old British king—Divisus was probably the name of this Belgic monarch, or Duiguis. As Gluiguis king of Demetia in Wales is wrote Glivisus by Toland. And the termination may have been framed into Latin from the Celtic word Tæog i. e. dux. Whence perhaps the Etruscan 'Tages' so much boasted of in their antiquities; likewise the modern 'Doge' of Venice. To that Divitiacus may well be Divisus dux.' † Believe me sir, a most perspicuous and incontestible inference."

"As there are some things mentioned above in

* Stonehenge, page 48. † page 186.

a catachrestic style, which I do not thoroughly apprehend, I took the liberty once of asking the Doctor the following questions. Is the town in the middle of the length of Wansdyke? *Yes surely, it is but four miles west from it*—Perhaps Doctor you mean that it stands *opposite* to the middle of the length of Wansdyke? *Yes most assuredly, as does Newbury and Kingston and Rochester, &c.*—Is it certain that this was a frontier town to the Dyke? *As certain as that the Romans never built a station nearer to the place to be defended, than four miles.*—Was it built as a Trophy to the king's power? *As sure as Dido built Troy; and William the Conqueror, King's College Chapel*—Was it built by the king in person? *Without all question, and by the very same king that erected Stonehenge with his own hands, for the Celtic kings were hewers of wood and drawers of water, and bricklayers, and stone-cutters and Free-masons.*—Did the Celtæ ever build their towns so far from rivers? *Often; witness their metropolis at Stonehenge, and their large town upon Marlborough Down, called now the Grey Wethers; you ought to know that the characteristic of a Celt was to be patiens solis atque sitis.*"

"These answers quite silenced me, so that I have scarce more than one word left to say, that I am Sir—&c. &c."

"In my last I was struck dumb. This taciturnity was attended with an amusing reverie, in which a method darted into my mind of propagating the species of this set of incomparable

writers. It is enclosed in the following short receipt, which I am sure is as infallible for making a complete modern antiquary, as Mrs. Stephen's dissolvent for the stone, or Dr. James's powder for a fever. I send it in English, because your wife may put it into her family receipt-book, for the benefit of your son who is just going to the University. It is in the taste of the last Dispensary, the like of which, according to the general opinion never was, nor ever will be seen.

Conserve of hoary legendary tales 2 Ounces
Probably's preserved . . . . 6 Drachms
Flowers of Monkhood . . . 4 Drachms
Seems to be—may be—sprinkled over the whole . . . . 2 Drachms
Roots of Hebraic, Celtic, Saxon, all finely powdered but not *searched* . . . . . 1 Drachm
Species of Reasons . . . . 2 Scruples
Syrup of sweet credulity, as much as will make it into an Electary.

Take the quantity of an owl's egg every morning fasting, and at nine at night, drinking after each dose, a bottle of Cerevisia Celtica, i. e. Barley-Wine. The morning dose will create an easy digestion, and the night one, pleasing and romantic dreams—There must be added to it a careful diet of roots, and a constant course of riding through all winds, weathers and roads, in the way, or out of the way. Mr. Wise will furnish you with a horse &c." I acknowledge an owl's egg

is an unusual magnitude for a medicinal dose, but it was thought here not too large, because all students who are formed by nature for antiquities, are furnished with large swallows. I would have them like the family of the Stukeleys. You must be informed that there were two Williams, one was a physician at Grantham, the other a divine at Stamford and London. They both descended from the ancient house of Stevekele, both their christian and surnames were the same, and though they were both as like as Virgil's twins ;

'————proles
Indiscreta suis gratusque parentibus error ;'

Yet they were very different men. The Physician believed nothing but the most incredible things of the Celtic Gods ; the other as appears by a late sermon preached before the College of Physicians avowedly believes in the Devil and all his works. The Physician had a particular affection for an aged owl, probably because it was a symbol of one of his goddesses, whom he adored by this representative ; though he often prayed to her, his prayers, like his practice, soon vanished into air. This owl was a present from a noble Dutchess (Ancaster,) whether as a curiosity, or a reproof ; by way of civility or satire is a point not determined to this day. However, the master made the bird the companion of his studies, and the confident of his soliloquies. He perpetually gazed at the eyes of his bird, as if it had been his looking glass, and indeed that was the only one he ever used. This *rara avis* was his *bona avis*,

always stood fixed upon a perch on his right hand; but the master was unfortunately cursed, as Virgil says, with a left handed mind. An oil extracted from the fæces of the auspicious bird, was given to his Apothecary at Stamford, as a nostrum for the gout. The Doctor, from the sacred gravity, or lulling composure in the countenance of his friend, commenced instantly an errant Antiquary; but it cannot be asserted whether from inspiration, intuition, or *ab ovo*."

"I must ingenuously confess," that the above "Recipe was not entirely my own. I think nevertheless that I have some share in the property, as I have taken immense pains to decypher an hieroglyphical hand, and used the utmost caution and precision to whittle the medicine into the present fashionable taste. I met with the original in a manuscript of brother Symons, a monk of the Abbey of St. James in Northampton.—He had collected a great many receipts from Hippocras, Gallienus, and Kelsus, authors I imagine now lost; but this probably was taken out of some Arabian Physician. In the original there were several nuts, as chesnuts, cypress, walnuts, &c.: these I threw away, as all kernels may be suspected to be poison, and no antidote is left in the present Dispensary to expell it. To make the medicine efficacious, I ejected all simples heterogeneous to my own private opinion; to render it palatable, I banished a few indeed efficacious ingredients; to make the remaining efficacious ones creep securely into the offices of digestion, chylification,

and sanguification, I doubled the quantities of some as the *probable—seem to be—may be ;* which have very little taste, yet serve as sheaths to carry the others down, and dark-lanterns to light them through all the alleys to their places of destination. I preserved the *spices* in the species in a moderate quantity, enough I hope for the hysterical ladies, the whetters, the slipslops and the freethinkers—I put in but a small quantity, lest they should fly to the head, to which I would have nothing aimed but the two bottles of barley wine. I think I have now adapted it to the applauded simplicity of the very last Dispensary. Simplicity, sir, is the beauty of architecture ;—the delicacy of gardening ;—the expression of music ;—the soul of painting ;—the true basis of morality ;—in philosophy it is experiment ;—in geometry, demonstration :—in medicine, longevity :—in composition, sublimity ;—but in metaphysics, a chimœra."

CHAPTER II.

REPLY TO DR. DAVIS—ROGER, BISHOP OF SARUM, BUILDS A CASTLE AT DEVIZES—KING STEPHEN WRESTS IT FROM HIM—DEATH OF ROGER AND REMARKS ON HIS CHARACTER—CASTLE SEIZED BY ROBERT FITZ HERBERT—EMPRESS MATILDA COMES INTO POSSESSION—YIELDS POTTERNE AND KANNINGS TO THE SEE OF SARUM BUT RETAINS DEVIZES.

In attempting a short reply to the observations in the preceding chapter, less regard will be had to the establishing of any new theory than to overturn the position that the origin of the town is to be dated from the erection of Roger Pauper's Castle. And before examining more particularly into the circumstances connected with that period, it may be observed *en passant* that if the difficulties of proving it to have been a Roman station are such, as to render absurd any serious attempt to establish that point; it is easy to shew that the objections heretofore raised against that view, are by no means conclusive. True, it was on no causeway or line of march, as far as we can now judge, but if this is to establish its non-existence at the time, we may just blot out the names of nearly half the towns, villas, or forts, scattered over the Roman Empire. But it is urged that the

distance of Devizes from any river disproves the idea of that people having made choice of the spot. This is to suppose that of all nations, the Romans were the only people since the days of Adam, who made the astonishing discovery that the bank of a river was a suitable place for the commerce and convenience of a town. But without going to Italy and detailing the numerous elevated spots along the foot of the Appenines, which were adopted as the sites of fortified towns, and where the difficulty of obtaining water must have always been far greater than at Devizes, we have abundant proof in our own country that they frequently allowed this consideration to occupy a very subordinate place in their estimation of a favourable position — Sir Richard Colt Hoare indeed agrees with some other antiquaries in supposing that during troublous times, the Romans actually adopted as residences the bleak, howling entrenchments on our downs, popularly called camps; and proves it from the remains of their workmanship found in those places.

But let us shift the ground, and draw an argument or two from circumstances connected with the period subsequent to the Norman Conquest.

The history of the proceedings attendant on the dismemberment of the Castle, Town and park from the manor of Kannings which will hereafter engage the reader's attention, distinctly shew that immediately previous to that event, that is to say, while Roger held the Castle, it was considered an integral part of the said manor—lying within its

bounds, and in no shape separated from it. Now if the name Devizes as significative of alienation had been given to it at this crisis, we should doubtless have been made acquainted with the circumstance by the documents attesting that transaction; But we know certainly from still older ones, as also from the language of historians, that such was its name before that dismemberment or alienation was meditated, which seems to involve the inference that the circumstances, whatever they were, which occasioned its name, were anterior to its being held in the Bishop's hands.

But there is another point more deserving of attention—one of the above mentioned charters of agreement drawn up between Henry, duke of Normandy, and Bishop Joceline, when the latter was endeavouring to regain possession of Devizes, stipulates on the part of Henry, that while he holds the castle, town, &c., he shall pay to the Church of Sarum the same amount of revenue on the *Borough*, as it had formerly rendered to Bishop Roger. This proves that it possessed the title and immunities of a corporate body before the Empress Matilda granted that charter "to her Burgesses of Devizes," which has always been regarded as the earliest they received. Indeed it is very possible that it *was* the earliest so granted, since the charters of several succeeding monarchs appear to be little more than confirmations of her's, and expressly allude to it in that sense. Nevertheless it is evident that it was not her charter which made the inhabitants of Devizes burgesses since

she came not into possession of the place till several years after Bishop Roger's death, and we may add that there is nothing in the language of the instrument itself which bears the character of a charter of creation. We are then thrown back upon two alternatives; either that the Borough's representation (such as it was in those early times) was a real privilege, and founded upon Saxon burgage tenure from time immemorial; or else, that the construction of Roger's Castle called into existence in an incredibly short space of time, an important community, invested with the name and privileges of a Borough, and sufficiently populous as to require two parish churches, and all springing up from the few artizans who we are told usually settled outside the walls of a newly erected castle.

William of Malmsbury, the bishop's biographer, assures us that he built a castle at Devizes but in no place does he assert that he built the town itself, founded its churches, and obtained a royal grant for the constitution of its liberties. Surely his devoted admirer while panegyrizing the acts and deeds of his superior would not have omitted to chronicle so important a circumstance—what he does state is; that the Bishop erected, or was in process of erecting four castles at these four places, Salisbury, Malmsbury, Sherbourne, and Devizes.*

* In the erection of Devizes Castle, the bishop is stated to have included a large piece of ground which he adorned with turrets. By this expression is merely to be understood the enclosure of the level space lying without the moat and separa-

The three first mentioned of these were large and flourishing places, and the advantages of building in their vicinity were perfectly understood and appreciated by the worthy prelate. A castle could not possibly suffer by the proximity of a thriving community, whom it overawed, and from whom it derived constant and easy supplies, not only in the way of barter and purchase for necessary commodities, but more especially, on account of the important revenues thence derivable in the shape of the tariff or tribute which Burghers were in the habit of paying to the Lord under whose patronage they thus lay in doubtful security. And why was this system departed from in the case of Devizes? how came it to pass that the sagacious bishop should have chosen for the site of his fourth, and (by the united testimony of all the monkish writers) the most splendid of all his military works, a spot of ground far afield from any human habitation, a place at which no man could live, because it was not on the bank of a river?

Admirably adapted as was the Castle-hill at Devizes for the purposes of fortification, this was not the only, and perhaps not the principal inducement which operated in the selection of the locality. The system of castrametation introduced by the Normans was vastly different to that which had originally prevailed in this island. They

ting the castle from the town, that being the most assailable quarter. The proofs that the plot of ground in question was so enclosed and fortified, are apparent to the present day.

placed far more reliance on a gigantic keep, a miry moat and a ponderous port-cullis, than in the laborious earthen defences adopted by their predecessors; and they stationed their robbers' dens just in those spots which appeared to offer the greatest facilities for the exercise of oppression on the industrious or defenceless classes. It would therefore be a far more warrantable conjecture to assume that Roger chose those places for the erection of his four castles which happened to be the most populous in his diocese, and that of these four, Devizes was the most so.*

To those however who may still feel a persuasion that the town acquired its municipal distinction under Roger's prelacy, it must be conceded that there is no positive proof to the contrary, only they are requested to bear in mind two things. First. That populous communities did not start into existence in England in those days, with the rapidity with which they now do in the forests of the new world—and secondly. That what few privileges unchartered Boroughs were in the possession of immediately after the Conquest, they were held by the Burgesses from no good will on the part of their Norman lords, whether lay or spiritual, but were the remains of what they had long enjoyed under the Saxon Dynasty, and which they were still suffered to retain solely on account of their insignificance, for as Blackstone observes,

* Wilton was probably more populous, but Bishop Osmond's charter to the Cathedral does not appear to have embraced that town,

a hundred of their burgage tenures together would hardly have amounted to one knight's fee. The other estates of the realm had suffered the loss of their all, except these dwellers in towns, "who in their burgage and socage tenures" (he observes in another place) "retained some points of their ancient freedom." It is almost unnecessary to add that of this description of property, numerous instances have always existed in Devizes. Some Boroughs are distinctly stated to derive their title from burgage tenure, and this is always regarded as proof of great antiquity: but Mr. Hallam thinks that the representation of all unchartered Boroughs is founded in like manner upon tenure.

Such are the premises therefore on which our presumption is founded that Matilda's charter was only a formal renewal of the privileges which the Burgesses of Devizes had enjoyed previous to the Conquest—granted by her for the purposes of conciliation, at a period when her own power in England was very precarious; and finally that if the town really derived its existence from a castle in whose vicinity it lay—*that* castle was not Bishop Roger's.

Of the two principal objections to this view that may be anticipated, the first to be noticed, is derived from the fact of the original parts in both the churches of Devizes being of the age of Bishop Roger.—If coincidence of style is proof of contemporaneous date, this is undoubtedly true. But while it no more establishes the point that churches did not previously stand there, than in the case

of Salisbury Church, which the Bishop is said to have "built anew from the ground;" it affords very satisfactory evidence that there was a population to require them. And one of those churches too was of no inconsiderable size, for though St. John's appears to have been constructed in the first place without side aisles, yet an examination of the foundation courses of St. Mary's which Mr. Phipps has lately laid bare, plainly shew that such was not the case with this latter.

This however will be met by the second and by far the most serious objection of all—viz. that neither Churches, Borough, nor Castle bearing the name of Devizes occur in Doomsday book.

As to Churches, Sir Henry Ellis is clearly of opinion that Doomsday book cannot be appealed to for the non-existence of Parish Churches at the age in which it was compiled. The whole number mentioned, falls considerably under what there are grounds for concluding they must have amounted to at the time of the Conquest, and indeed, unexceptionable evidence has been adduced to corroborate this statement, in the case of several. Under Edward the Confessor, there had been a great increase of parish Churches, as appears from a notice to that effect in one of the laws ascribed to that monarch, wherein it is stated that three or four churches were now standing where formerly only one had existed. It has been further remarked that if it was the landed property of the Clergy which was the object principally in view, we need not be surprised that those churches and

their incumbents should frequently be omitted, which did not possess any quantity of glebe.* The church or churches of Devizes were free chapels and do not appear at this early period to have derived their revenues from any sources but those of voluntary contributions; but on this point see the subject more at large in the 9th Chapter of this work.

With reference to the omission of the name as that of a Borough, Devizes stands in the same situation as Marlborough or Sarum. No one will pretend to dispute their existence as corporate communities, previous to the writing of Doomsday book, yet no allusion is therein made of the Burgesses or Borough of Sarum or of Marlborough as a Borough. These two instances alone are adduced, because they lie in the vicinity.

And the same line of argument may be adopted in relation to the castle, some other most important ones having been omitted, which are well known to have been in existence at the time of the survey; such as Dover, Nottingham, Durham, and the Tower of London.

After all it is to be feared that whichever view of the matter be entertained, it stills remains impracticable to make out a perfectly clear case. It is one of those questions, to be decided by a process of general induction and comparison, rather than by the evidence of any one individual circumstance which can be brought to bear on the

* See Sir Henry's essay on Doomsday Book.

merits of either side. It is certain that the antiquity of the town is an idea which was long universally prevalent. Dr. Stukeley as we have seen above, and several others regarded it as beyond controversy, and Dr. Ledwich the ingenious author of the Antiquitates Sarisburienses asserts that Roger merely "re-edified" the Castle. The Latinity of its name was no doubt a point of considerable weight in their conclusions and it is probable that this might still be made the basis of a better argument than can be drawn from any other source. Stukeley's conjecture relative to Punctuobice, as well as his derivation of *Divitiacus* from *Divisus dux* are perhaps deserving of all the raillery with which Davis has assailed them. Divitiacus himself however is no mere name or man of straw, as the latter gentleman seems to hint. That he was a Belgian warrior of considerable note, who made three descents upon this island, each time pushing his conquests farther than before; and that he transported hither the use of several names from his own country, such as Belgæ, Parisii, Attrebati and others—that the limits of his last conquest, which he maintained, were bounded by a line equivalent to, or very near the Wansdyke, and that he was intimately known to Cicero and Cæsar, are historical facts which do not owe their origin to Stukeley's powers of invention.

In a work entitled "Galt's pictures of history," the writer has dubbed two or three other Roman Generals "Dukes of Devizes." Whether or not

the validity of this fine title is based on any better authority than Stukeley's supposition does not appear.

But whether Bishop Roger of Salisbury be regarded as the original founder or only as the Norman re-edifyer, it now becomes necessary to proceed to some particular notice of his life; more especially as the passages of that life were the immediate causes of giving to the name of Devizes that prominent position which it occupies in this dark Chapter of English History. Here we are principally indebted to William of Malmsbury; for the age in which he lived, a most enlightened historian—The intelligent reader however will bear in mind that William was a hooded monk, and that therefore it is no matter of surprise, if from his reverence for the cloth, his narratives occasionally exhibit a leaning towards the ecclesiastical merits of the case. Who is the historian indeed, who could ever boast of having shaken himself entirely free of party bias?

Malmsbury's account of Roger commences not till after the latter was settled in England, but from other sources we learn that his origin was obscure and that he became known by chance to Prince Henry while officiating as priest in a church near Caen in Normandy. It is added that the rapidity with which he performed the service was the circumstance which gained for him the favourable notice of his volatile patron and his military companions, who unanimously pronounced

Roger the fittest chaplain they had ever known for men of their profession. He accordingly became one of the Prince's retinue, who in coming to the throne appointed him first to the Chancellorship, subsequently to the see of Sarum and eventually committed to his care the administration of the entire kingdom while he himself was abroad in Normandy.

The family of the Bishop also shared in his advancement. A son by his lady Matilda of Ramsbury succeeded him as Chancellor of England; and two of his Norman nephews obtained the sees of Ely and Lincoln, Nigel who was also the the king's treasurer was presented to the former, and Alexander to the latter.

King Henry shortly before his decease obtained the oath of his nephew Stephen, the Earl of Blois, and that of the other leading men of the realm to support the succession of his daughter Matilda. But hardly were his eyes closed, before those very men, bishops and all, leagued to extinguish her claims for ever, by solemnizing the coronation of the usurper Stephen, in Westminster Abbey, 1135. This stroke of crooked policy, brought about, as we shall presently see, a most sanguinary retribution on its agents; and of them, the bishops were the first to find themselves caught in an evil net. The monarch whom their influence had been mainly instrumental in placing on the throne, was no sooner seated there, than he ungenerously lent his power to trample on and persecute them. His poverty caused him to envy their vast riches, and

the slender character of his pretensions to the crown made him dread their power and influence among the people. The Bishop of Salisbury in particular, though no longer the first minister of the Crown, was still one of the most influential men in the nation. His nephew, Alexander, had built a castle at Newark, and himself one at Sherborn and another at Devizes, enclosing a large tract of ground with many buildings adorned with turrets. He had also begun one at Malmsbury, while a fourth at Salisbury which had been granted to him by Henry I. was occupied as his usual residence. These castles were strongly fortified and plentifully provided with warlike stores; a numerous retinue of knights accompanied him wherever he appeared, and his two nephews, Alexander and Nigel, imitated the secular pomp and military parade of their uncle.* In appearance,

* During the preceding reigns, few of the nobility had been permitted to fortify their castles. It was a privilege granted with a sparing hand and confined to the royal favorites. But since the accession of Stephen, every petty cheiftain erected his fortress, assembled a body of military retainers, and confident in his own strength, provoked the hostility of his neighbours, or defied the execution of the laws. Godwin and some other authors assert that not less than eleven hundred and seven castles were erected during the early part of this reign—To suppress the local tyrants occupying so many strong holds, was a task of some difficulty and perpetual recurrence. It was necessary to levy armies, to surround each fortress, and to conduct the siege according to all the forms of war. The reduction of the castle of Exeter belonging to Baldwin de Redvers occupied the king three months, and cost him no less than fifteen thousand marks. Whether it were from policy or

nothing could exceed the obsequiousness of the three prelates to the king, but he suspected that under this mask they concealed a secret attachment to his rival, Matilda. His favourites, the enemies of Roger, watched and nourished his jealousy; they observed that Stephen's mind was irritated by the repeated rumours of an approaching invasion; and they convinced him that the ruin

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disposition, Stephen in general treated the vanquished with lenity; but his indulgence appeared to multiply the number of offenders, and to encourage their obstinacy, till in a moment of resentment, he ordered Arnulf of Hesdin and his ninety-three associates to be hanged (Orderic 917.) By the monkish writers, the particulars of these petty wars are narrated at considerable length; the Saxon Chronicle thus alludes to this wretched period. "In this King's reign all was dissension and evil and rapine; against him soon rose rich men; they had sworn oaths, but no truth maintained, they built castles which they held out against him. They also cruelly oppressed the wretched men of the land with castle work; they filled the castles with devils and evil men; they seized those whom they supposed to have any goods, threw them into prison, and inflicted on them unutterable tortures. This lasted the nineteen years that Stephen was king and it grew continually worse and worse" Such is the picture of tyranny and anarchy with which the annals of this reign present us, nor were the religious orders, free from the universal contagion. "The Bishops" says a contemporaneous writer "the bishops themselves, I blush to say it—yet not all, but many, bound in iron, and completely furnished with arms, were accustomed to mount warlike horses, with the perverters of their country, to participate in their prey, to expose to bonds and tortures the knights whom they took in the chance of war, or whom they met full of money; and while they themselves were the head and cause of so much wickedness and enormity, they ascribed it to their knights" Gesta Stephani. p. 962.

of the Bishop of Salisbury was necessary for his own security. A pretext was not long wanted for effecting his ungenerous design: in the month of June, 1140, Stephen summoned a great council of prelates and barons to meet him at Oxford, and Roger and his nephews were commanded to attend. The old bishop pleaded age and infirmity, and entreated the king to dispense with his presence, but as this was steadily refused, he resolved not to go unprotected, and accordingly summoned to his attendance, the chancellor his son, and a numerous body of his retainers well armed. The "Bishop of Salisbury" says William of Malmsbury "set out on this expedition with great reluctance, for I heard him speak to the following purport. By my Lady Saint Mary, I know not why, but my heart revolts at this journey; this I am sure of, that I shall be of much the same service at court, as a foal is in battle." Here, in consequence of a preconcerted plan, a quarrel about a right to quarters was excited between the retainers of Roger and the servants of two foreign noblemen, Allan of Bretagne and Hervey of Leon. The next day the bishops of Sarum and Lincoln were arrested, the former in Stephen's chamber, the latter in his own lodgings. They were confined in separate dungeons, accused of violating the king's peace in his own court, and informed that he would accept of no other reparation than the surrender of their castles. By the advice of their friends they gave up Newark, Salisbury, Sherborn and Malmsbury. Devizes however remained in the possession of the

Bishop of Ely, who when the other bishops were arrested, had escaped from his pursuers, and retiring to that fortress, garrisoned it with all the retainers he could collect, and defied the power of his sovereign. Confident in the strength of the place, he trusted that he should be able to keep it till the arrival of the Empress Matilda in England, and with this view, made preparations for a vigorous defence. Immediately upon this, Stephen having secured the other three castles, came with his prisoners and sat down before Devizes; but perceiving that the place was of great strength, and aware of the difficulty and loss of time that would attend a protracted seige; instead of making a hostile attack on the castle, he resorted to the following expedient whereby to obtain his end without delay. Having ascertained that Matilda of Ramsbury was also in the castle, he erected a tall gibbet on an opposing eminence, and forthwith announced to the dame that its object was for the immediate execution of her son the Chancellor, unless she prevailed on the bishop of Ely to surrender the place, adding also that neither was her lord the Bishop of Sarum to be suffered to eat or drink until the terms were complied with. To heighten the scene, he caused the unhappy Chancellor to be arrayed in irons, and with a halter hanging about his neck, to be led in company with his father to the very gates of the castle, for the purpose of exercising their personal influence on her feelings. She herself was anxious to comply with Stephen's demand, but the

bishop of Ely remained inexorable. For three days, although the execution of death was delayed, the king subjected his unfortunate prisoners to all the privations of ignominy and famine. The old bishop, says one authority,* was confined in the crib of an ox-lodge in The Devizes, and his nephew in a vile hovel more loathsome than the other. At the end of the above mentioned period however, Matilda herself contrived to deliver up the keep or chief place of strength, and thereby compelled Ely to surrender the other parts of the castle. Even these were not yielded, except on certain terms; he retained his liberty, but Stephen took possession of every thing. Forty thousand marks were found in the castle, besides plate and jewels to an incredible amount. Knyghton and Matthew Paris add, that the treasures found in this and the bishop's other castles, were made use of for the purpose of negociating a marriage for Eustace the king's son with Constantia, sister of Louis, King of France, and thus securing the co-operation of that monarch.

On the aged Prelate this blow fell very heavily. Ruined both in body and estate, he was oppressed to the grave, and in the December following, died of a broken heart after having sat 39 years. To save what remained of his treasures from the royal rapacity, he gave them to his Church, causing them to be placed on the high altar. They were carried off by Stephen's order, even before the bishop's

* The Continuator of Florence of Worcester.

death. We cannot better complete the page of this remarkable man's history, than by reciting the pathetic summary of his career given by his biographer, William of Malmsbury.—"To me it appears that God exhibited him to the wealthy, as an example of the mutability of fortune, in order that they might not trust in uncertain riches. With unrivalled magnificence in their construction as our times may recollect, he erected splendid mansions on all his estates: in merely maintaining of which, the labours of his successors shall toil in vain. His Cathedral he dignified to the utmost with matchless ornaments and buildings, on which no expence was spared. He attempted to turn abbeys into bishopricks and bishopricks into abbeys. The very ancient monasteries of Malmsbury and Abbotsbury he annexed as far as he was able, to his see. But fortune who in former times had flattered him so long and so transcendently, at last cruelly pierced him with scorpion sting. Such was that instance, when he saw those whom he dearly regarded, wounded, and his most favoured knight killed before his face; the next day himself, and his nephews, two powerful bishops, the one compelled to fly, the other detained, and the third, a young man to whom he was greatly attached, bound in chains. On the surrender of his castles, his treasures pillaged, and himself afterwards in council, loaded with the most disgraceful reproaches. Finally, as he was nearly breathing his latest sigh at Salisbury, the residue of his money and utensils, which he had placed

on the altar, for the purpose of completing his church, was carried off against his will. The height of his calamity was, I think, a circumstance which I cannot help commiserating; that though he appeared wretched to many, yet were there very few that pitied him, so much envy and hatred had his excessive power drawn upon him, and undeservedly too, from some of those very persons whom he had advanced to honor."

We must now recur to the events immediately following Stephen's despotic seizure of the episcopal castles. The intelligence of the outrage committed by the king, was received by the clergy with surprise and consternation. To them he had been mainly indebted for his succession to the throne; they still contributed to support him on it. Yet now he had shown himself the enemy of their order; he had illegally usurped the property of the church, and he had impiously laid violent hands on prelates whose persons had hitherto been deemed sacred. His brother Henry bishop of Winchester, whom Innocent II. had lately invested with the authority of papal legate, foreseeing the evil consequences that would result from the disaffection of so powerful a body, repeatedly conjured the king both in public and in private, to offer satisfaction to the injured prelates. Stephen was inexorable, and the legate summoned him to justify his conduct in a synod of bishops.

On the second day of the assembly, Alberic de Vere, a nobleman who appeared as counsel for the king, forbade them under pain of the royal dis-

pleasure, to proceed any further—Upon this signal, the knights who had followed him, drew their swords, and the legate was compelled to dissolve the assembly. The mention of these circumstances is not irrelevant, since we shall presently have to refer to them again.

Stephen's triumph was but of short duration. Within a month after this transaction Matilda and her brother Robert landed on the coast of Suffolk, and England was speedily engaged in a most bloody pastime. Each rival competitor had numerous partizans, but the majority of the barons, shut up in their castles, either affected to observe a strict neutrality; or under the mask of submission, maintained a real independence. This was the case with the castle of Devizes, which about this time was seized by a young Norman named Robert Fitz-Herbert; one who appears to have very anxiously coveted the character of a genuine ruffian. He is said by the author of "Gesta Stephani," to have taken the place by means of scaling ladders, made of thongs of leather; a circumstance which tallies with an observation of William of Malmsbury, viz.—"that he was a man well versed in the stratagems of war." A few other of the acts and deeds of this worthy from the same narrative, are as follows—"When at any time, which was extremely rare, he liberated his captives without torture, and they thanked him for it on the part of God; I have heard him reply, "Never let God owe me any thanks". He was accustomed to boast of having been present at a place on the Con-

tinent, where 24 monks were burnt together with their church; declaring that he would do the like in England. Shortly previous to his taking Devizes castle, he had surprized that of Malmsbury, and pillaged the town for a fortnight. The approach of Stephen's army however compelled him to shift his quarters, when he made an unsuccessful attempt on the Castle of Trowbridge, then in the occupation of Humphrey de Bohun. But being now in possession of Devizes, he is said to have boasted that he was master of all the country from London to Winchester; and sent word to the monks of Malmsbury, that so soon as he had a little leisure on his hands, he intended to visit them for their allegiance to Stephen, with the total demolition of their Abbey, and the slaughter of themselves. Ere however he could carry this benevolent scheme into execution, his career was fated to sustain a slight check. Though he had possessed himself of Devizes in the name of the Empress Matilda, his conduct soon rendered it manifest that he held allegiance to no one. Accordingly when she came and demanded the place for her particular use, he refused to surrender it, whereupon John Fitz-Gilbert (governor of Marlbro' castle,) who had also declared for the Empress, undertook to avenge her cause; but aware of the strength of Devizes Castle, instead of attempting to reduce it by open force, he laid a snare for its ruthless captain, and having secured his person, condemned him in irons

> "Without pitiè, hanged to be
> And waver with the wind."

Matilda's cause after this, gained the ascendant for a short period. Stephen was defeated in battle, and confined in irons to Bristol Castle, while his fair rival was crowned in London, as sovereign lady of England and Normandy. But her bright hopes were soon defeated by the impolicy of her own conduct. Naturally haughty and vindictive, she indulged those passions in the pride of power which in her previous condition she had carefully smothered. This conduct alienated her friends, and exasperated her enemies, and in the course of a few weeks we find her a fugitive from Winchester where she had been beseiged, and seeking shelter in the castle of Ludgershall. Here she thought to repose herself awhile, after the fatigue of a perilous and precipitate flight; but was quickly compelled to pursue her way to Devizes. Her retainers however not arriving in sufficient numbers to render the Castle tenable, it was deemed necessary to continue the route to Gloucester, a step which was not effected without considerable difficulty. It is affirmed by one writer* that in order to elude the vigilence of her pursuers, she was conveyed out of the castle in a coffin, and that the road was so beset, that she was compelled to remain a prisoner in it, all the way from Devizes to Gloster.

Stephen now regained his liberty, and parties were again placed on a more even footing. The period of Lent which immediately followed these events, produced a temporary cessation from arms,

* The Continuator of Florence of Worcester.

and the Empress embraced the opportunity of holding two Conferences or Parliaments at the Castle of Devizes, whither were summoned her retainers and partizans from all quarters, to deliberate on her future movements. The principal transaction at the first of these, was a resolution to despatch an embassy to Geoffrey Plantagenet, Earl of Anjou, (the Empress's second husband) and endeavour to engage his services in her cause. That nobleman however, to whom his wife had long been an object of dislike, was moreover taking occasion from Stephen's imprisonment to overrun Normandy, and was but ill able therefore, to co-operate in the more distant views of Matilda. Nevertheless he finally consented to send his son, Henry, (afterwards Henry II.) and three hundred men, under the guidance of the Earl of Glocester, who had conducted the embassy from Devizes, and who on his return thither, again met his mistress at the Castle, and gave occasion to the second Conference there. At its conclusion, Matilda retired to her head-quarters at Oxford, which presently after, became the seat of war; but as none of the subsequent transactions of that struggle involve any mention of Devizes, it would be foreign to our purpose to take any farther notice of them, otherwise than in reference to the disordered state into which some of the Church's possessions were thereby thrown, and in which the district of Devizes or Kannings pre-eminently participated.

The castle having been torn from the See of Salisbury by king Stephen, we have already seen

that the Synod called by the Bishop of Winchester (Stephen's brother) to deliberate on the justice of that measure, was dissolved by the king's authority before they arrived at a determination. This property therefore, as well as some others, though retained by a despotic act in the hands of the crown, and passing almost immediately afterwards into those of the Empress or her partizans, were still liable to be claimed by the Bishops as former dependencies of their sees. That they were so claimed, we shall presently have occasion to see; but in the first place, it may not be uninstructive briefly to contemplate the position which the clergy occupied in relation to the crown at this crisis.

The above arbitrary proceedings of Stephen had greatly exasperated the Bishop of Winchester, and when Matilda shortly afterwards enjoyed her brief hour of triumph through the victory of Lincoln, she laboured hard to complete the alienation of the Brothers, and to secure to herself the allegiance of a Prelate, who in his office of papal legate was ipso facto at the head of the English clergy, and able through their means to exert an almost unlimited influence on the Barons and people. Accordingly she waited upon him in person at Winchester, and though he for a long time affected to regard her overtures as totally inadmissible, yet upon her offering him the disposal of all the church preferments, he at last agreed to throw up the cause of the king his brother without farther reserve, and to obtain for Matilda the suffrages of the clergy. On the morrow he received her

with great pomp in the Cathedral church, where he solemnly excommunicated all the King's friends, and absolved all such as would abandon his party, and come over to the Empress. The Archbishop of Canterbury soon followed in the Legate's train, but was so squeamish as to procure the king's consent first, to obtain which, he visited Stephen himself in prison.

After this, the bishop of Winchester soon bebecame disgusted with Matilda's conduct, and indeed was the principal agent in causing the ignominious expulsion from her throne to which we have already adverted. Excommunication was now thundered from the same oracular mouth, against all her adherents, as so many enemies to the public peace. Nevertheless no long time elapsed, before it became evident to the bishops, that though the power of Stephen was nominally paramount, yet that his cause was in reality daily on the wane. They had renounced and re-renounced that of Matilda, yet they entered into close engagements with her aspiring son, the young Duke of Normandy; and when Stephen in order to secure the crown to his son Eustace, was anxious to have him crowned before his own death, the Archbishop of Canterbury flatly refused to comply with his request, and fled into Normandy to escape his vengeance.

Such was the game in which these crafty churchmen were now engaged; favoring each party by turns, only to play into their own hands, and by the skilful application or withdrawing of

their powerful aid, to endeavour to bring both into subjection. While the succession was thus hanging in doubtful suspense, Matilda had been grievously assailed by them on the subject of the lands she had ravished from the church. In this cause they engaged some of the Norman clergy, and by way of urging the justice of their claims, entertained her with a view of the heinousness of her trespass, and reminded her of the woes with which they would feel it their duty to visit her, in case of her obstinate refusal. As an illustration of this point, and as being more immediately connected with our present enquiry, since it involved the fate of Devizes, we now proceed to notice the case of Potterne and Kannings. Matilda indeed had done nothing more in the matter than carry out the line of conduct adopted by those who had preceded her in the possession of the castle, or at any rate what they would doubtless have pursued, could they have retained that strong position in their own hands. The Canons of Salisbury, it is true had obtained various concessions and redresses from Stephen, but then they were made at a period when he had almost entirely lost his power in these quarters. Soon after the death of Bishop Roger, Stephen had nominated his own chancellor Philip de Harecourt to the vacant seat, but the Canons having united with the Legate, in opposing his election, Stephen to punish them, withheld for a long time the nomination of any other Bishop and seized upon all the remaining revenues of their Church. On

the elevation of Joceline de Bailul however, which took place in 1142, he is said to have "re-instated the affairs of the Church," as mentioned above, but this re-instating could not have applied to Devizes, or the district which it commanded, since it does not appear that the castle passed out of the hands of Matilda or her adherents, at any one period after its seizure by John Fitz-Gilbert of Marlborough. 1142

Against the Empress it was therefore, that the clergy directed their artillery of Candle, Bell and Book, to recover these lost estates: and though they succeeded in inducing her to relinquish the adjunct lands at Devizes, yet her partizans on the spot were by no means disposed to resign the eagle's nest itself. This proved the principal difficulty in the affair, and caused its final adjustment to remain in abeyance for many subsequent years. The earliest document preserved on this subject at Salisbury, is one without date, but it must have been executed in 1148. It runs thus. 1148

"Matilda Empress, and daughter of King Henry To her son Henry and all her faithful followers, health and prosperity, Know that I by the command of the Lord the Pope, have restored to God and to the Church of Salisbury, that is to Joceline her bishop, all those lands which I held in my hand, the Cannings and Potterns, (terras Caningas et Poternas) with all their appurtenances as well in men as in land; And this restoration I have made in the presence of the Lord Hugh Archbishop of Rouen, and of many Abbots of Nor-

mandy, and of my barons, before whom it was made, to the intent that I will never, either of myself or by my signature abstract the said lands from the Church of Sarum, or disturb their quiet possession. Therefore I command you, and thee my son Henry, that on your parts, you adhere to this my act of restoration, by delivering in peace the said lands to the Bishop, and holding me essoiled from sin and excommunication. Thus shall ye seek your own welfare and my honour." Witness. Hugh Archbishop of Rouen at Falaise in Normandy.

This dignitary then advertizes the Canons at Sarum of the step taken, in the following missive entitled, " A Charter of the Church of Salisbury given by Hugh Archbishop of Rouen for the confirmation of the Act of restitution made by the Empress Matilda," &c. &c.

" Hugh by the grace of God Archbishop of Rouen. To the Dean and entire metropolitan Church of Sarum health and grace. Know all that we, by the command of the Lord the Pope, have convened with the Empress, that with regard to the lands which she abstracted from the Church of Sarum and held ; she will restore them. Also she hath verily acknowledged in our presence the audacity of the said inroad on the Church's possessions, hath openly recognized the rights of the said Church, and in obedience to the mandate of our Lord the Pope, she hath restored the Cannings and Potterns &c. &c. to God and the Church, and with her own royal hand, resigned them whole

and entire into the hand of our venerable Brother Joceline who was then present. Also she hath declared before us as before her spiritual adviser, that neither she nor any one over whom her influence extends, shall infest or seize the said lands, but that she will preserve them to the Church in all freedom and integrity."

Made in our presence and in that of our venerable brother Joceline, Bishop of Sarum—of Walter the Lord Abbot of Foulencia—The Lord Abbot of St. Almand of Salop—William Prior of St. Barbara—Ganfred Dean of Rouen—Richard Dean of Bayeux, and others, June, A.D. 1148, at Falaise.

In the following year, prince Henry who had been absent more than two years, returned into England with a choice body of troops, with a view to the more vigorous prosecution of his own and his mother's cause. At the same time he formed the resolution of visiting his great uncle David the Scottish king, to concert with him measures for the accomplishment of his designs. On his way thither at the head of a numerous escort of knights and infantry, he sojurned at his Castle of Devizes, and on that occasion signed a ratification of the above act of his mother, which is preserved in the following interesting document.

" Henry the son of the Duke of Normandy and Earl of Anjou, To the Archbishops, Bishops, &c. Health—I will you to know that I have restored to God, to the Church of Sarum, and to Joceline her bishop, his Manor of Canings with the hundred thereof, and its liberties, customs, and all

other its appurtenances in lands and waters, in wood and plain, as freely and quietly as ever his predecessors, Osmund and Roger best and most fully held it in the time of my grandfather Henry and his predecessors. Excepting the Castle of Devizes which is situated in the aforesaid manor of the Church of Sarum, and the Burgh and Park. Excepting also the services of the knights of the said manor which on account of my necessity I have hitherto retained in my hands by the good suffrance of the Bishop, till God shall so magnify me, that I shall be in a condition to give them back. Excepting also five hides of the said manor, which Robert Fitz-Ralph holds, and two hides which Gregory holds at Rindeveram, and half a hide which Barleben the Porter holds. These three albeit shall hold under the suffrance of the Bishop from the next feast of St. Michael for a year, and then their tenure shall return to him quietly and without opposition."

This Charter was written and restitution made at the Castle of Devizes, in the Ides of April 1149 in presence of the following, viz: Roger Earl of Bedford, Patrick Earl of Sarum, John Fitz-Gilbert, Goro Dinant, William de Bello-Campo, Elias Giffard, Roger de Berkley, John de St. John, Herbert de Vallibus, Thomas Bassett, Henry Hoescat, Humphrey Fitz-Otho, Menasser Byset, Hugh Fitz-Richard and Ralph Fitz-Richard, Clerks. Robert Dean of Sarum, Gregory the Cupbearer, Henry Archdeacon of Sarum, Willibert de Bello Fago, and Robert de St. Pantio.

Notwithstanding the declaration contained in the above charter of Henry's willingness to restore the Castle as soon as he should be able, we cannot suppose that he seriously meditated any such step. He was not yet however all-powerful in England, and though the Bishop appears never to have come into actual possession of the Castle, he nevertheless possessed sufficient influence over its tenure as to be able three years afterwards to impose sundry other conditions on its occupation by the Prince, as will be more fully seen in an agreement dated 1152 and styled "A convention between the Lord Henry Duke of Normandy and the venerable man Joceline bishop of Sarum, and his church of Sarum." From the circumstance that the length of the term during which Henry was to hold the Castle is not specified, there is reason to think that this document is either imperfect or at least has reference to some former one which has escaped us. It goes on to state "That the said Earl shall hold the Castle of Devizes for a term from the present passover, with this understanding, that if within that period he shall have recovered his right, then by the advice of the Lord Archbishop of Canterbury, Henry B. of Winchester, Richard B. of Bath, William B. of Chester, he shall retain the said Castle; but that if within the aforesaid time, he shall not have recovered his right, then at the termination thereof, he shall restore it to the Church of Sarum. And if any of the above mentioned Bishops shall die in the interim, the advice of the survivors shall avail for

the restoration of the said Castle together with the Park, Borough, and all the Soldiers as belonging to the see of Sarum. In the interim nevertheless, the Earl shall pay out of the Borough to the Bishop, the same amount as it formerly rendered to Bishop Roger, and at the end of the term, the Church shall recover all her lands free of all royal customs, tallages, operations, exactions and all other things *excepting what shall be justly due to the Earl from the personal services of his men without payment of money for loss. Also it is understood that within the given period above referred to the Earl shall by advice give to the Bishop ten libratas of land, in full and perpetual right to be possessed by the Church of Sarum; and in case he shall recover his right to the Castle, then other ten libratas.** To this Convention for the peace of the Bishop, of his Clergy, and their men, the said Earl hath given his Corporal oath, by the hand of the Archbishop of Canterbury, to be held by the Earl, as this Charter testifyeth, without fraud or evil reservation. Also the Bishop of Sarum hath sworn in like manner, as far as regards himself.

* The editor does not take upon him to vouch for the accurate rendering of the passages printed in Italics, owing to the difficulty of decyphering the original Latin. Some others also are translated somewhat liberally, but he believes that if the full extent of the primitive sense be not given in each individual sentence, yet that no false impression is conveyed. This explanation he presumes will be considered preferable to the plan of presenting the reader with a transcript of the original, with all its contractions and illegibilities for his own perusal.

And the Archbishop grants that if either party shall endeavour to escape from these conditions, he shall be restrained by Canonical Law.

"This Charter was made by the hand of Theobald Archbishop of Canterbury, Primate of England, and Legate of the Apostolic Seat, in the presence of the following Bishops, Henry of Winchester, Richard of Bath, and William of Chester, in the Ides of April in the year of the Incarnation 1152 at the Ford of Stockbridge" (Hants.)

1152

The fifth and last instrument on this subject to which the reader's attention is invited, is one executed three years after Henry had succeeded to the throne of England, and which set the matter finally at rest, by entirely separating the Castle, Town and Parks from the Cathedral Establishment.

"Thomas by the grace of God Archbishop of Canterbury, Primate of England and Legate of the Apostolic see, to all to whom this present Charter shall come; Greeting. Know all, that in the presence of our venerable brothers, Richard Archbishop of York, Richard Bishop of Lincoln, and Henry Bishop of Chester, for the adjustment of the quit-claim of our Lord the king in the matter of the Castle of Devizes, with the two Parks and the Burgh, as the same are at present divided and enclosed by the Dykes, the king hath agreed to deliver over to Joceline Bishop of Sarum in exchange, thirty libratas of the king's Royal demesne Lands, which shall be entirely free from all incumbrance. At the same time the king gives in his favour and love towards the Bishop, the

power of recalling all the distracted and dissipated portions of his Bishoprick, in order that it may be established on the same footing at which it stood in the days of Bishop Osmund, and in the day when King Henry was alive and dead, (i. e. the day of his death) and in these revocations the king will offer no impediment, but will assist and maintain the Bishop. Moreover the king restores to the Church of Sarum, the Church of Westbury with its appurtenances, the Churches of Figheldean, Odiham and Godalming, and the prebendaries of Bedminster and Ramsbury"

Sealed in the year of the Lord 1157 on the morrow after the feast of St Luke the Evangelist.

NOTES TO CHAPTER II.

This seems as suitable a place as any, for adverting to the circumstance of Devizes having been so long included in the hundred of Swanborough, and for describing the limits of that hundred according to the most ancient maps. If the reader will take in hand a modern map of Wiltshire, the following definition will be rendered intelligible.

Commencing at the Southern point near Imber, follow the present boundary to the extreme easterly point near Wotton Rivers. Thence trace a course through the following points, Fifield, East Kennet, Stanton, and All-Cannings. The line then dips very near to Devizes and goes away north towards Sandy lane embracing Bromham and Whethampton and skirting Spye-Park. Thence by a line midway between Poulshot and Devizes to Urchfont, which it includes. Thence to the two Chevrells, including them, and thence to Imber according to the present boundary.

The hundred of Potterne consisted only of the southern portion of what is now the hundred of Potterne and Cannings, and was completely separated from the hundred of Cannings by the narrow strip of Swanborough hundred which contained Devizes.

In some ancient documents, Devizes is described as being in the county of Southampton; but probably when this expression occurs, it must be regarded as an inadvertency.

A name very similar to Devizes occurs in an ancient poem celebrating the seige of Rouen in Henry 5th's time.

"There wonne he (*Clarence*) worship and great honour,
Of Princehood he mote be the flowre;
For when all princes are y mette,
Next to the best let Clarence be sette,
And on the tother side him betwene,
Sette Exeter that knight soe keen;
For at the Porte-Devyse he lay,
Whenas the Frenchman came out every day,
He bett him in with manful brunt,
And wonne him worschip as he was wont."

The porte-Devyse was on the north side of the City. It was otherwise called porte Devisyne, and also Porte-Beauvais, by prose writers.

CHAPTER III.

PRINCE JOHN HOLDS THE CASTLE DURING HIS BROTHER'S ABSENCE IN PALESTINE—FORTIFIES IT ON THE APPROACH OF THE FRENCH DURING HIS OWN REIGN—EXTRACTS FROM THE ROLLS, ON THIS SUBJECT—HISTORY OF SOME OF THE WARDENS OR CONSTABLES—SKETCH OF THE EARL OF KENT'S LIFE—HE IS IMPRISONED IN THE CASTLE—PART OF THE GARRISON MUTINY, AND DELIVER HIM—DEATH OF THE EARL.

THE Castle and Lordship of Devizes being now fairly established in Henry's hands, soon became one of the most important grants in the gift of the Crown. On which of the king's servants it was bestowed during this reign, does not appear, but since in the following reign we find it in the hands of prince John, while his brother Richard was in the Holy Land, it is probable that it had been entrusted to him during his father's life time. On coming to the throne himself, he appointed Thomas de Sandford to the Constableship, a post which was maintained with unshaken fidelity by that trusty soldier throughout the desolating struggle which darkened the close of this monarch's reign.

While the French troops under prince Louis, in conjunction with the disaffected part of the English Barons, were overrunning the country, and Dover was on the point of surrender; the only castles which held out in this part of the island, were those of Bristol, Wallingford, Corf, Wareham and Devizes; into all of which John threw additional troops, and furnished them with arms and provisions. From the closs rolls we glean a variety of interesting documents, all tending to exhibit in a striking view, the importance which the king evidently attached to the preservation of this fortress. It is manifest also that it was made the depot of the major part, if not of the whole of the royal treasure, a proof that John regarded it as the most secure place in his dominions, and fully accounting for the numerous sums of money, perpetually authorized by him to be laid out in its defences and reparations. To present the reader with the whole of such extracts, how amusing soever they might prove to the genuine antiquary, would in the present case be a supernumerary task, more especially as a large portion of them are of a kindred class. A specimen or two however will doubtless be perused with interest.

7th year of John. The King to the Barons of his Exchequer—greeting—Apprizing them that a portion of the yearly rents of the town and castle were remitted to Thomas de Sandford to be expended in the fortifying of the said castle—dated at Lambeth.

8th John. The king to the Barons of his Ex-

chequer, &c. Pay to Thomas de Sandford for the carriage of eight hogsheads of wine, from Southampton to Devizes, 60 shillings and two pence—dated at Cranbourn.

13th John. The mayor of Bristol is commanded to send twenty hogsheads of wine thence to Devizes—this time the king dates from Trowbridge.

15th John. The king to William, clerk—Thomas de Sandford is commanded to deliver to you, to be given over to Brian of the Isles, the sum of 20,000 marks of the moneys lying in our castle of Devizes—Stodland.

15 John. The king to the Barons of his Exchequer, &c. Pay to Simon and Hugo de Cuvier one hundred shillings for the conveyance of 50,000 marks from Bristol to the castle of Devizes, to the care of Thomas de Sandford—London.

16th John. The king to Thomas de Sandford, We have sent unto you Nicholas Faborum and his associates, that you may cause them to make quarrels, (*cross-bow-bolts,*) in our castle of Devizes. They will find their own necessaries—London.

16 John. The men of Bristol are commanded to send unto the castle of Devizes, 60 hogsheads of wine—Trowbridge.

17th John. The King to Thomas de Sandford and his treasurers—We command you to receive into our castle of Devizes, our faithful Briton the cross-bow-man with his wife, child, and household, giving them safe protection—Wareham.

This year also, a large parcel of the royal jewels

were deposited in the castle. They are minutely detailed and described—

18 John. The Earl of Gloster is directed to send to Devizes 20 carts loaded with corn and two pigs of lead *(120 stone each)* by the hands of Hugh de Nevill, (Lead in those days was deemed a very requisite article in the defence of castles. Loopholes were pierced in the roofs of the gang-ways, and through them, the lead in a molten state was poured down on the heads of assailants.)

18 John. The king to Thomas de Sandford. We command you to credit the message of our beloved and faithful brother Allan Martell, on our part—Namely that you deliver up the great gate of the Castle to be defended by Oliver de Buteville Geoffrey de Buteville* and their men; and that your own post, with the assistance of Richard de Rivers, be the gate of the small tower (*Janua Castelletti*) as our brother Allan will more fully explain.—Wareham.

18 John. Thomas de Sandford is to receive and entertain the Countess the wife of Earl Albanem, with her children, giving them chamber room, &c.

From these extracts it would appear that if the castle did not during some part of this reign, actually sustain a seige from the French army, it was nevertheless in daily expectation of such an event.

On the year of the last mentioned date (1216) King John died, and Thomas de Sandford became

* These were two generals who commanded John's auxiliaries from Poictou and Gascoigne.

a knight-templar and resigned the wardenship of Devizes. This latter circumstance we learn from an entry similar to those given above, wherein is refunded to the abbot of Malmsbury the sum of 100 marks which he had advanced to the said Thomas for the repairs of the castle; this is a patent letter dated 1217. His successor was John Marschall, one of the eleven barons who with four earls and a few other persons, constituted the entire retinue appearing on John's side at Runnymeade. He had also assisted the earl of Pembroke at the coronation of the young prince Henry after his father's death. Pembroke in the character of regent of the kingdom was the bestower of the grant on this occasion, and it appears even at this period to have comprized nearly its full complement of manors, appurtenances, &c. The repairs of the castle going on during this governor's term were of a very extensive nature, and argue that some serious damage had been sustained during the war. Long lists are preserved of the several payments made to the workmen, who are distinguished as miners, carpenters, fossators and masons.

In the 3rd of Henry III we find Philip de Albini Earl of Sussex and Arundel made constable of the Castle. He also had sided with John at Runnymeade and assisted Pembroke at Henry's coronation. On this occasion the grant was made to him for life; this was not always the case, as it was sometimes held merely during the Monarch's pleasure. On the death of this governor,

the post was enjoyed successively by William Brewer, and Walter Fitz-Ralph; after whom in 1224 John Marschall was again put into possession. This baron also acquired the title of Earl of Warwick in right of his wife Margery sister and co-heiress of William de Newburgh sixth earl of Warwick. He left one only daughter and heiress Margery whom we shall have occasion to notice hereafter. During the period when he first held the castle, he appears to have excited the indignation of the worthy burgesses of the town, by some unjustifiable captures or "prizes" made upon them; but after his second arrival amongst them, an accord or settlement was effected between the parties, and the matter entered on the exchequer rolls.

Ralph Lord Willington, of Willington in Devonshire, was the next governor, 16th Hen. III. 1231. He previously held Bristol castle, with the wardenship of the forest and chase of Keynsham, but on the death of the Earl of Warwick, obtained for his active support in the king's service, this castle and that of Exeter. He was succeeded by Walter de Godarville, soon after which, occurred the most interesting of the events which it comes within our province to record; viz., the incarceration of the celebrated Hubert de Burgo, Earl of Kent and grand justiciary of England. The story of his life and the circumstances which led to his imprisonment at Devizes, exhibit a picture of the vicissitudes of fortune equally remarkable with that which we have already contemplated in the

case of Roger of Sarum: indeed in many points there exists a considerable resemblance. It is presumed that a short sketch of those circumstances can neither be deemed irrelevant, nor prove unacceptable to the intelligent reader, especially if to his recollection be summoned the interest that he must always have felt attaches itself to Hubert, in common with every other character, which the hand of Shakespeare has traced. Perhaps also from the narrative of his conduct, as well in the hour of prosperity, as in the time of his manifold sufferings, we may be disposed to form a more favourable judgment of the character of one who has so long been implicated in the matter of Prince Arthur, and learn to give him better credit for sincerity than we have heretofore done, when he exclaims in the presence of the king—

> ——————"This hand of mine
> Is yet a maiden and an innocent hand,
> Not painted with the crimson spots of blood.
> Within this bosom never enter'd yet
> The dreadful motion of a murd'rous thought,
> And you have slandered nature in my form,
> Which howsoever rude exteriorly,
> Is yet the cover of a fairer mind,
> Than to be butcher of an innocent child."

Allusion has already been made to the attack on Dover castle, during the reign of King John. Hubert de Burgh was then holding the command of that important fortress, and he opposed with such determined bravery all the efforts of Louis to reduce it, that the prince was finally compelled to abandon the undertaking. In the mean time

John had died, and by the victory of Lincoln, the Earl of Pembroke had secured the crown on the head of young Henry. But the hopes of the French king to establish a footing in England, were not yet extinguished. In a few months a large armament of more than eighty vessels put to sea from Calais, under the command of a celebrated Pirate called Eustace the monk. To oppose this formidable fleet, Hubert de Burgh had collected forty sail from the cinque-ports, but the disparity of force was so alarming, that several knights refused to embark, under the pretence that they were unacquainted with the manner of naval engagements. Nor was Hubert himself unaware of the danger. Before his departure he received the sacrament in private, and left the most positive orders that the castle of Dover should be surrendered on no terms whatsoever, not even to save his own life in the case of his being made prisoner. The event rewarded his valour; after a desperate fight, only fifteen of the enemy's fleet escaped, and an incredible number of knights and inferior officers were taken prisoners.* This victory which totally dashed the hopes of the French prince was speedily followed by his departure from the island.

The brilliance of these patriotic services natu-

* Eustace the old pirate was discovered in the hold of his vessel, he prayed for his life and offered a large ransom, to which Richard Fitzoy one of John's illegitimate sons replied by striking off his head, which was afterwards carried on a pole from town to town.

rally dazzled the public eye, and Hubert forthwith became the favorite of both prince and people. He was made guardian of the realm, married Margaret the sister of the Scottish King, and was finally elevated to the Earldom of Kent, each succeeding year bringing some accession to his wealth and honours. But in a few years the scene of his prosperity and greatness closed. By a potent and invidious party, headed by his rival the bishop of Winchester, he was undermined in the favour of the young king, nor can it be denied that while endeavouring to consolidate his own power, he had not unfrequently supplied his enemies with weapons of annoyance by instances of rapacity and ambition. An unsuccessful expedition into France, in which he accompanied the king, gave the first shock to his power, and shortly after, when on occasion of an inroad by the Welsh, Henry lamented his want of money, he was told that he might easily extort it from Hubert and his relatives, who for years had been accumulating wealth at the expense of the crown. The advice was adopted; the inferior officers of government were called to account, and Hubert received an order to answer for all the wardships which he had held, all the rents of the royal demesnes which he had received, and all the aids and fines which had been paid into the exchequer, from the day of his appointment to the office of Justiciary, a period including the whole of the present, and a great part of the late reign. Whether it were that he despaired of justice or that he was conscious of

guilt, he fled to the priory of Merton. At first the king determined to take him away by force, and for that purpose dispatched the Mayor of London with an armed body of citizens; but on more nature deliberation and at the petition of his only friend the Archbishop of Dublin, the space of five months was granted him to prepare for his trial.

Hubert finding himself at liberty, left his sanctuary and proceeded towards Bury St. Edmunds to visit his wife; but the king who had been persuaded that it was dangerous to permit him to remain at large, dispatched a body of three hundred horsemen with orders to arrest and convey him to the Tower. The Earl was in bed when he heard of their approach; he arose in haste, fled naked to the parish church of Boisars, and on the steps of the Altar, with the host in one hand, and a cross in the other, awaited the arrival of his pursuers. They had no order to take his life, but placing him on horseback, and tying his feet under the belly, proceeded with their captive towards the metropolis. Henry however was aware that this violation of the privileges of the church would excite remonstrances and opposition. The prisoner was carried back to his sanctuary; and the sheriff of Essex was charged, under penalty of death, to seize his person, whenever he should attempt to escape. That escape indeed was rendered impracticable by a deep moat which had been dug, and a line of palisades, which had been drawn round the church; and on the fortieth day hunger

or despair induced the unfortunate Earl to surrender himself to his guards, by whom he was conducted to the Tower. Henry ordered him to be set at liberty, and to appear in Cornhill before a court of his peers. When the accusations against him had been read, Hubert replied that he should offer no defence; but that he placed his body, his lands, and his chattels, at the king's pleasure. The judges deliberated; they agreed that if judgment were pronounced, they must condemn him to forfeiture and death, and therefore recommended his case to the consideration of the king. Henry, base as his ingratitude had already been, could not contemplate the death of a man, from whom himself and his father had received such signal services; and an award, to which all parties consented, was at length given; the Earl forfeited to the crown his goods and chattels, with the lands which he held in chief of the king, retaining for himself and his heirs, his patrimonial inheritance, and the lands which he held of mesne lords; and to prevent future rupture, the Earls of Cornwall, Warren, Pembroke and Lincoln became sureties for his good behaviour, though at the same time he was commanded to remain in the Castle of Devizes, under the custody of four knights respectively appointed by the aforesaid Earls, until he should either enter the order of the Knights-templars, in the event of his wife's death; or be acquitted by the general consent of the king and council. He and his guardian knights were accordingly sent forthwith to Walter de Godarville then governor of Devizes

castle, where according to the terms of the stipulation, he was "to be kept in honorable freedom from the mean severity with which he had hitherto been treated." This honorable freedom however turned out to be no great boon. The Dungeon of the Castle was allotted for his habitation, and all communication with him was strictly prohibited, except to the archbishop of Dublin who on one occasion only, was permitted to visit him alone, to hear his confession, and converse with him on the safety of his soul. His confinement indeed was so rigorous, that the person who daily supplied his wants, was allowed to approach no nearer to him than the grating of his prison would permit. Matthew of Westminster in his History, (*page* 135) gives the following anecdote as illustrative of the generosity of Hubert's disposition. "Having been informed one day while lying in his dungeon, of the death of the Earl of Chester one of his sworn foes, the imprisoned Earl fetched a deep sigh, ejaculating, 'The Lord have mercy on his soul.' Then calling for his Psalter, he stood devoutly before the Cross, and ceased not till he had sung it all over, for the good of the departed soul."

But while he thus pined under this abominable and unmerited confinement, a political storm was brewing, which endangered the throne itself, and proved in the issue the means of releasing him from the tyranny of his enemies. The overbearing conduct of his rival the Bishop of Winchester (a Poictevin by birth) had rendered him odious to

the nation, while the introduction of foreigners into almost every post of emolument and trust had occasioned so general a discontent, that the very garrison of Devizes began to manifest disgust. From the following letter it appears that the knights to whose custody the Earl had been committed, ventured to refuse admittance to some of the king's messengers, on the plea that by virtue of their commission, the whole of the fortress was placed in their keeping.

"The king to the soldiers, the guardians of Hubert de Burgh. Ye ought to recollect, touching the articles of agreement made between us and your generals *(the four earls)* to whom we appointed the Donjon of the Castle of The Devizes for the safe keeping of Hubert de Burgh; that the Castle itself with the exception of the said Donjon, should still remain at our disposal, for us and our people, as often as we might send thither; and whereas it hath been certified to us, that to our liege-men whom we lately sent to the said Castle, ye have hitherto denied entrance, to our great scandal and rebuke; we have now sent unto you Aylmer of St. Amand, commanding you to admit into the castle the soldiers whom we sent, according to our order. And unless ye return word by him, a sufficient reason wherefore ye have acted on this wise, know, that we will see in our own person, God willing, who will forbid admission into our Castle."

Dated at Wallingford, 2, June, 1233. See Rymer's Fœdera.

A fortnight after the receipt of the above letter, the King then lying at Woodstock sent another to Walter de Godarville, warning him neither to quit Devizes, nor to suffer provisions or ammunition of any kind to be carried into the Castle. Two days after, a third missive arrived, enforced by the presence of five knights and fifteen Sergeants and Bailiffs, who were commissioned to preserve the peace in the neighbourhood of Devizes, and to see that the only importations into the Castle, were such as were required day by day for the sustenance of the soldiers therein serving. That as to the men appointed to guard the Earl of Kent, they should be at their own charges, on account of their disobedience to the royal precept. Albeit that if the Sheriff of Wiltshire should signify to Walter de Godarville that he required his assistance to go to the house of Gilbert Basset of Compton to enforce the king's command, that the said Walter should assist him with force and arms, provided that during his absence, provisions were not carried into the Castle. And finally it was commanded to the men of the town of Devizes that they should look to, and take care of the king's affairs, an office they no doubt felt duly proud of, but one which they have occasionally discovered to be attended with rather less profit than loss.

It was not long before Henry had still stronger reasons for suspecting the fidelity of the Garrison. Dissension was spreading in various quarters; the Earl of Pembroke, one of Hubert's sureties, was

taking up arms in the West of England, and in Wiltshire where rebellion first reared its head, the powerful family of the Bassets were conspicuous for their resistance to the king's unadvised innovations. The principal representatives of this house were Gilbert Bassett and his brother-in-law Richard Siward, both being partizans of the Earl of Pembroke, and it is possible also, two of Hubert's guardian knights. They were speedily made to feel the vengeance of the Bishop of Winchester; Gilbert Bassett was stripped of the manor of Netheravon in Wiltshire which had been conferred on his house by King John, and on his repairing to court to vindicate his rights, Henry rejected his claim with scorn, and stigmatizing him with the name of "Traytor," threatened him with hanging if he did not instantly leave his presence. He also ordered Siward to be apprehended for having presumed to marry Gilbert's sister without the royal leave. The Earl of Pembroke now retired into Wales and joined the forces of Prince Llewellyn, and the King followed him as far as Hereford with a view to seize on the Earl's castles in that county; but his ardour was quickly abated by the resistance he encountered from the very first he assailed; and after a few more unsuccessful adventures, he was surprized and attacked at the Castle of Grosmont and compelled to retreat to Gloucester.

During the progress of these disorders, the Bishop of Winchester manifested great anxiety for the preservation of the prisoner at Devizes. Fully sensible that if the Earl should by any

means effect his escape, his own power and influence would be greatly lessened, he had been strenuously endeavouring to obtain for his nephew Peter de Rupibus (also a Poictevin) the government of Devizes Castle for a limited period, in order to assassinate his fallen rival, before such a step became practicable. But Hubert, though in adversity, still possessed the services of that valuable agent, a friend at Court. Intelligence of Winchester's treacherous design was instantly conveyed to him by a secret hand, and the Earl perceiving that no time was to be lost, revealed the perilous situation in which he stood, to two of his guardian knights, and threw himself on their generosity. They were but too well disposed to aid in any scheme to join the standard of the Earl of Pembroke, and it is probable that they would have abandoned their charge long before, but for the conviction that in so doing, they would have exposed Hubert to almost certain destruction. Accordingly on Michælmas eve, 1233, it being their turn to watch, they thus conducted his escape. One led the way, while the other taking the Earl on his shoulders, who was unable to walk on account of the irons with which he was loaded, carried him safely through the Area of the Castle, went out through the "Ostium," passed with great difficulty the foss, ascended to the parish Church of St. John, and deposited him on the steps of the High-altar. The escape was almost immediately made known to the Governor, and he instantly dispatched in pursuit a body of

his ruthless castellans, who finding the Earl in his place of refuge, clasping a Benedictine Cross, dragged him thence with great violence, and conveyed him back to the Castle. Intelligence of the circumstance coming to the king who was then at Oxford, he immediately sent directions to the Governor of Devizes, that the Earl should be safely kept in the vault which he had previously occupied, that his keepers should place upon him three pair of iron fetters, and that none of his friends should be permitted to hold any communication with him. But the matter was not suffered to rest here. The event as in the former instance at Merton, excited the indignation of the Clergy, who naturally regarded this reiterated breach of the privilege of sanctuary, as a most dangerous precedent. This at least is the motive usually assigned for their conduct on this occasion, but it is clear that they were also actuated by feelings of personal enmity against the Bishop of Winchester, who on the authority of his ordination by the Pope, was setting all the Clergy of England at defiance.

As the outrage had been committed in a church within the diocese of the Bishop of Salisbury, it was resolved that the cause should be undertaken by that prelate (Robert Bingham.) He accordingly repaired to Devizes Castle, and threatened to exercise his spiritual sword on the governor and all his men, if he did not forthwith acknowledge the authority of the Church by sending back the Earl to his sanctuary. But the Governor was deaf to all

solicitations, and the Bishop having solemnly excommunicated the whole garrison, quitted the Castle for London. The prelates then in a body carried their cause before the king, and were so urgent in their suit, that he was compelled to yield to their request. The Earl was permitted to be reconveyed to the Church, but Henry at the same time sent the following secret despatch to the Sheriff of Wiltshire.

"It is commanded to the Sheriff of Wiltshire, that as he loves his own body, he be at The Devizes in propriâ personâ with the posse comitatus, on Wednesday the morrow of St. Luke, the Evangelist, in the early morning, and by keeping Hubert de Burgh within the Church of St. John, both day and night, to prevent his escape by any means." Teste Rege ap. Westminster, 15 Oct. 17 Hen. III.

He also dispatched two of his Justices, Ralph de Bray and Ralph de Norwich, to the prisoner, with a commission, either to receive his oath to quit the kingdom for life, or to offer him a fair hearing in the king's court, in accordance with the conditions of his imprisonment. But in case he refused to accede to either, then the Sheriff's men were to guard the Church and Cemetery with all diligence.

But the disordered state of the country rendered all these precautions unavailing. Hubert was carried back into the sanctuary, and the church was instantly environed, to prevent his exit; but assistance was nearer at hand than his enemies looked for. Gilbert Bassett and Richard Siward,

had in the meanwhile got together a troop of horse, and on the morrow after the Earl had been restored to the sanctuary, they suddenly made their appearance in the Churchyard, and charged the Sheriff's men in full career. The prisoner was then extracted shivering from the Church, his shackles were knocked from his limbs, and his friends having seated him on a mailed steed, bore him off in triumph. They all then escaped into Wales and joined the standard of the Earl of Pembroke.

In the early part of the succeeding year, that nobleman fell by the dagger of a false friend, at the instigation of the Bishop of Winchester; and in the following month, an amnesty was agreed upon at Gloster, by which Hubert with the other insurgents was received into the royal favour, and recovered the greater part of his estates. He died eleven years afterwards, and was buried in London, at the monastery of the Friers-preachers, now called Blackfriars.

Of the other agents in the events we have related, Gilbert Bassett and Richard Siward were in like manner reinstated in their possessions, and were even constituted, in conjunction with Hubert de Burgh and Gilbert Marshall the Earl of Pembroke's brother, the king's privy councellors. As to the Bishop of Winchester, his villiany and rapacity became so flagrant, that Henry at last summoned resolution enough to throw off his iron yoke, and rendered the Bishop's situation so humiliating, that in the course of two years, he found it expedient to beat a retreat to Rome.

CHAPTER IV.

HISTORY OF THE GOVERNORS AFTER 1233—STATE OF THE REVENUES OF THE CASTLE IN EDWARD I. REIGN, WITH MISCELLANEOUS NOTICES ON THE SUBJECT OF ITS MANAGEMENT—CONTINUATION OF ITS HISTORY DOWN TO THE PERIOD OF ITS DESTRUCTION IN THE TIME OF HENRY VII.—DESCRIPTION OF THE CASTLE BY LELAND, LAMBARDI, AND OTHERS—ESSAY ON ITS ARCHITECTURE AND ACCOUNT OF THE RECENT EXCAVATIONS ON THE CASTLE-HILL.

In resuming the mention of the Wardens of the Castle, the name which occurs next to that of Walter de Godarville is John de Plessitis. Originally he was but a domestic servant at Court, but on becoming one of Henry's favourites, was appointed to the custody of this fortress in 1235. By the king's persuasions, Margery the above mentioned daughter and heiress of John Marschall Earl of Warwick, was induced to become his wife, in whose right therefore he took the title himself. In 1253 he attended Henry in an expedition into Gascoigne—his death happened ten years after.

The grant was then conferred on Robert Lord Neville of Raby. He was one of the barons who

pledged themselves to the king's observance of the ordinances, usually known by the name of "Provisiones Oxonienses," and during that turbulent year, was made General of all the king's forces beyond the Trent; but Henry having reason to suspect that the intrigues of Montfort Earl of Leicester had seduced him from his allegiance, displaced him from all his posts, whether of honour or emolument, transferring that of the Lordship of Devizes to Philip Lord Bassett of Wicombe. This nobleman had greatly distinguished himself before the walls of Northampton, when held out by the Earl of Leicester, and eventually taken the place. But in 1264, the
1264 year following his appointment to Devizes Castle, the battle of Lewes was fought, which cost the king his crown and liberty. Philip Bassett who fought near the person of Henry, long maintained by his courage and example, the combat with Leicester's forces; but sinking through loss of blood, his retainers fled, and the king, whose horse had been killed under him, was compelled to surrender to the Earl. He was confined to the Priory of Lewes, and the royal castles fell into the hands of his enemies.

Hugh le Despencer, who had married Aliva, the daughter of Phillip Bassett, then obtained the castle of Devizes, by the authority of Leicester and the twenty four Barons-regent as they were termed; into whose number he was also admitted. Lord Bassett was imprisoned in Dover Castle, where he remained till the victory at Evesham in

1266, which restored his master to the throne. 1266
Despencer had fallen on the field: all his estates were confiscated to the crown, and Lord Bassett again became the king's military tenant at Devizes. He is presumed to have died shortly after, as we find the trust confided to the hands of Ralph de Sandwich during the early part of the succeeding reign. (Edw. I.) And after him in succession appear the names of John de Haverings, 11th. Edw. I, and John de Ewelesham 13th Edw. I. During the wardenship of this latter, one John Flamel, is charged before the king with the offence of having refused to send into the castle certain provisions which he had been commanded to furnish for the use of the king, at a fair valuation—alledging inability; whereas it appeared upon examination, that a sufficient supply was then lying at his house. John Flamel was found guilty of the offence, and sentenced to a fine of 20 Marks. *(See Abbrev. Placit.)* This probably arose on the occasion of a purveyance, on Edward's passing through Devizes, a circumstance of frequent occurrence. Whenever the kings of England travelled in former days; the inhabitants for several miles on each side of the road, were always compelled to furnish horses, carriages, lodging, and provisions, for him and his suite, a company which seldom amounted to less, often to more than a thousand persons; and although it was professed that the owners received legal payment, yet numberless frauds and extortions were perpetually practised by the Purveyors, who took whatever they pleased, fixing

the price themselves, and often eluding payment altogether. This intolerable grievance was somewhat mitigated by Edward III., though three centuries more elapsed, ere it was entirely abolished under the reign of the second Charles.

During the reign of Edward I. were collected the returns known by the title of "Rotuli Hundredorum." They were taken soon after his return from Palestine, in pursuance of a special commission issued under the great seal, for the purpose of enquiring into the state of the demesnes, and of the rents and revenues of the Crown; and concerning the conduct of the Sheriffs and other officers and ministers who had defrauded the king, and grievously oppressed the people. The Rotuli contain two notices of Devizes, one of which had been drawn up in the preceding reign, viz. in the 39th Henry III. for some reason not stated. The remarks which apply to Devizes as a Borough will be noticed in another place. Those relating to the castle, and which are included in the report of Henry's reign are as follows.

Concerning the keeping of the Castle, the Jury declare—That the Castle of Devizes can be kept in a state of defence for the sum of 25 marks per annum, and no less.

Then follows a list of Knights holding manors, lands, tenements, &c. of the castle by military tenure; of whom, those who held at 20 pounds or a whole knight's fee, were bound, in time of war, to do suit to the Lord of the Castle for the space of forty days in the year, in propriis per-

sonis, and at their own charges; and those who held at half a knight's fee, or less, to do service in proportion accordingly.

Walter de Dunstanville, for lands at Stert, by one knight's fee or service.

John Fitz-Alan. Houses at Keevil, by one knight's service.

Robert de Maundeville. Houses and lands at Bratton, by one knight's service.

William Paynell, Richard Esturmy, and Humphrey de Schoverille. Lands at Littleton, by one knights's service conjointly.

Robert de la Mare. Houses in Lavington, by one knight's service.

Richard de Rockell. Houses in Lavington, by one knight's service.

Ralph de Wilton. Lands at Calstone, by half a knight's service.

Richard de Hetchilhampton. Lands at Hetchilhampton, by half a knight's service.

Robert de Salceto. Lands at Bishop's Lavington, by half a knight's service.

Also the jury declare that the knights here following, originally made ward to the castle, but have withdrawn their services for about thirty years.

Robert de Horcheleya, (Horseley.) Lands at Horcheleya in Somerset, by one knight's service.

Earl Richard. Lands at Mere, by one knight's service.

Roger de la Folye. Lands at Bishop's Lavington, by one knight's service.

Peter de Hymmesburgh. Lands at Lavington and at Hurst, by two knights' service.

Roger Gernun. Lands at Steeple Lavington, by one knight's service.

James de Potterne. Lands at Potterne, by one knight's service.

William de Cotes. Lands at Cotes, by two knights' service.

William Fitz-Luce and Roger de Horton. Lands at Cannings and at Horton, by half a knights' service each.

Allan de St. George, William de Derham, and Owayn de Immere. Lands at Horton, by the third part of a knight's service respectively.

William Quintin and William Bubbe. Lands at Clyve, by one knight's service.

These lists, we must conclude, contain all the manors, lands, and houses held of the Castle of Devizes, at that particular period; but another compilation, the Calendar inquisitionum post mortem* furnishes us with several others, of which the owners died seised during subsequent reigns, and which may be regarded as additions subsequently made to the resources or appurtenances of the Castle. The following extracts contain the mention of the places alluded to, other than those already detailed.

* These inquisitions were taken by virtue of writs directed to the Escheator of each County, to enquire what lands any person died seised of, and by what rents or services the same were held, who was the next heir, his age, and many other points which render them the best evidences of the descents of families and property.

1st Edward III. m. 85. Henry Estmond and others. One hundred and twenty acres of arable land at Devizes, and in a place called the New-park there, for suit done at Devizes castle.

5th Edw. III. m. 13. John de Poulshot. Thirty acres of arable land at Chitmarsh, by half a knight's service.

7th Edw. III. m. 17. William de Maundeville. Houses and lands at Edyngton.

23rd Edw. III. m. 74. Henry de Willington. Asserton near the town of Berwick.

2nd Henry IV. m. 40. John Roches. Knight. Certain messuages and lands at Yatesbury.

6th Henry. V. m. 23. John Lavington. One capital messuage called Lavington's Place, with other messuages.

9th Henry. V. m. 44. Ancareta, daughter and heiress of Gilbert Talbot, Knight. Half of the manor of Broughton.

13th Henry VI. m. 37. John Earl of Arundel. Half of the manor of Bulkingdon.

The manor of Calstone is stated to have appertained to Totness Castle, though held " as of Devizes Castle " The manor of Mere in the reign of Henry III, was a cause of contention between the Governor of Devizes Castle and the Earl of Salisbury, but was decided by the king to belong to the former. To the above may be added the manors of Earlstoke, Cufleya, Haklestone, and Hesthorpe, near Highworth.

Under the head of " Villa de Rudes" (town of

Rowde) occur the two following entries, in the Rotuli Hundredorum.

"Richard de Benacre and Juliana his sister hold three virgas (roods) of land in Rudes, by sergeanty—viz. for finding a soldier equipped with haubergeon, doublet, sword, morion, and lance; to be at the castle of Devizes in time of war, for forty days, at his own charges."

"Henry the Falconer, deceased, formerly held one hide of land in Rudes, by sergeanty; that if the king should chance to be in these parts during the forty days succeeding the feast of St. Michæl, he should attend him with his hawks; but in the absence of the king, the constable of Devizes Castle was at liberty to make use of his birds. Also the Jury declare that Roger the son and heir of the aforesaid Henry the Falconer, being yet a minor, is in the custody of the constable of the castle, together with his lands, worth per annum one mark."*

The grant of the Castle and Lordship of Devizes with its rights, members and appurtenances; when made entire and without reserve, appears to have comprized the following; The Castle

* It is almost unnecessary to remind the reader that this practice termed, Wardship in Chivalry, was that by which the Lord was entitled to the guardianship of the body and lands of heirs during their minority; that is, till the age of twenty-one in males, and fourteen in females. It gave him the power also of disposing of them in marriage, or at least of tendering him or her a suitable match, without disparagement or inequality, which if the infants refused, they were liable to a fine called "valor maritagii."

of Devizes body and members; the Towns of Devizes and Rowde with the advowsons of two churches in the former, and one in the latter, and the custody of the Forests of Melksham, Chippenham, Peveshani, La Cofaud, and the Warrens at Marlborough. The nominal return or rent for the whole was £40. All these immunities however were not in every case made to accompany the mere holding of the Castle. In cases where they were not, the Sheriff of the County was authorized to take the charge of all appurtenances, and collect the revenues in the king's name. The nomination of the Earl of Warwick, by Henry III. which occurs above, is a case in point. By the first grant, "the king gives to John de Plessetis Earl of Warwick, the body of the Castle of Devizes to be held during the royal pleasure, saving the royal demesnes, and all other things pertaining, *extra muros;* and the king wills that the Sheriff of Wiltshire shall take charge of the royal demesnes," &c. Some years after "The King grants to the Earl, the manor of Rowde and villa of Devizes, with appurtenances."

The fortress of Devizes was one of the class termed Royal Castles, to which certain privileges and honors were annexed. * It was also a state

* The royal castles were those of Dover and the other cinque ports, Northampton, Corfe, Scarborough, Bamborough, Newcastle on Tyne, Hereford, Devizes, Exeter, Sarum, Hadleigh, Winchester, Porchester, Bridgnorth, Oxford, Sherbourn, the Tower of London, Rochester, Gloster and Horestan.

prison; on which point, let us see what Mr. King advances in his "Munimenta antiqua," vol. III. p. 251. "When a grant was made to a castle to become a state prison, it is not to be understood as implying that the whole building was a prison, but merely that the lower story of the keep, or dungeon was by royal authority appointed to be a public and privileged prison at all times; whereas the dungeons of other castles were permitted to be used as such, only in time of war. The upper stories of the keep continued in both cases to be constantly used as state apartments for the residence of the Lord of the mansion, notwithstanding the prison underneath; and hence perhaps arose the practice in early times of committing state prisoners to the custody of different Lords at pleasure, which custom continued down to the time of Henry the 8th and even of Queen Elizabeth." This privilege appears to have been granted to Devizes at a very early date, if we may credit the assertion of Lambardi a writer of the sixteenth century, who assures us that Robert Duke of Normandy was confined thereto by his brother Henry the first "as to a most free and liberal prison," Lambardi neglects to mention his authority for this assertion; it is however considerably favoured by a passage in the Saxon Chronicle, where allusion is made to the Duke's being removed on one occasion from the custody of Roger bishop of Sarum to that of the governor of Bristol castle, and we have already seen that Devizes at that time was in the Bishop's hands.

It would appear from the various entries on the Rolls, relative to the transmission hither of falcons, hounds, &c., and from other circumstances; that the neighbourhood of Devizes formed a very considerable chase in the days of the first Edwards. The number of attestations dated from this place, especially by Edward I. fully proves that the spot was one of favorite resort. Once if not oftener, he dates from Poulshot. If the Devizes Old-Park did not formerly extend to Poulshot, it was doubtless all forest-land there, and the place from which the king wrote, was very probably a hunting-lodge. Speed asserts that when Edward spent his Easters at Devizes, he was in the habit of visiting his mother, the Queen dowager, who resided with the Lady Prioress of Amesbury.

Chippenham forest, the guardianship of which, as above stated, was usually attached to the Castle of Devizes, is supposed to have been originally an appendage to the Palace of the West Saxon Monarchs when they resided at Chippenham. Its direction appears to have been north-west from that town, and was probably all one with Braden forest. Melksham forest lay between Chippenham and Melksham. The Forest of Pevesham or Pewsey is delineated in Speed's map of Wiltshire, and in others of the date of James I. In what modern name La Cofaud is preserved, it is difficult to determine; but the fact is that so much of the face of the country was forest land in former times; that we can form no idea in the present day, of the extent or limits of the chases with which

the island abounded at any given period. It has even been asserted by some writers, that Devizes once formed the extremity of the New Forest. But though, as Mr. Britton observes "early history informs us that a great part of Wiltshire was covered with forest trees, the statement must have applied chiefly to the north western division of the County, as little doubt can be entertained, but that the high lands of its southern district have remained in their present open and unsheltered condition, from the most remote ages. North Wiltshire is particularly noticed by the ancient writers on British affairs, as opposing many difficulties to the conquests of Vespasian, from the close and woody nature of its surface."

The expenses and materials for the repairs of the Castle, were usually (though not always) supplied by the proceeds of the Forests: of which the following extracts from the Rolls may serve as illustrations.

7th Henry III.—The King to the barons of his Exchequer. Know that we have assigned to our beloved Phillip de Albini for the defences of our Castle of The Devizes, the sum of 44 shillings arising from the poll of the inhabitants of the forest of Chippenham. Teste, Hubert de Burgo, Westminster.

8th Henry III.—The king to the salesmen of the underwood in the forests of Melksham and Chippenham. We command you to allow our beloved William Brewer, constable of Devizes Castle to apply the proceeds of the underwood of

the said forests to the repairing of the Drawbridge and Palisadoes of the Castle, and of the houses therein. Teste, Rege. Devizes.

8th Edw. I.—The king having appointed that the reparations of his Castles of Devizes and Odiham shall be expedited; Ralph de Sandwich, constable of Devizes, is commanded to sell in the king's forest of Dean, large timber and underwood to the value of £30 to be applied to that purpose.

29th Edw. III.—The king has ordained that the value of the reclaimed parts of the forests of Chippenham, Pevesham and Melksham, shall be assessed and levied at £18. 14*s.* per annum; and that during the life-time of Roger de Bello Campo, constable of the Castle of Devizes, that sum shall be paid by the Prioress of Amesbury collectrix for the king, unto the porter of the said castle, year by year; by him to be expended in the repairs of the same; and also in the enclosing of the king's park there, under the supervision of the parson of the Church of Devizes, and of the Mayor of the Borough."

Returning to the point in the narrative, from which the above digression on the nature of the grant was made; John de Ewelesham appears to have been succeeded by Matthew Fitz-John, Lord of Stokenham, as Warden, Constable, or Governor; for all these terms are nearly synonymous with "Lord of the Castle." Edward I. bestowed it on him in the 15th of his reign, "to be held for life

on the same terms as those by which Ralph de Sandwich had formerly possessed it, except that the king remits the payment of the annual rent of £40." *Pat. Rolls.* 15 *Edw. I. m.* 9. During the same year Lord Stokenham "did homage in the king's court for the town and castle of Devizes, the manors of Rowde, Earlstoke, Haklestone, and divers others, on which occasion, the King and Queen confirmed to him the said possessions, whether in demesnes, homages, services of freemen, wards of the Castle, or advowsons; to hold for life, by the yearly payment of £40 with all services, whether by custom or exaction." Moreover the Forests were then given into his hands with their appurtenances for "the safe keeping of the king's deer, and the maintenance of the royal prerogatives there." Eleven years after, we find him deprived by Edward of this bailiwick or jurisdiction of the forests, in consequence of his having abused the trust, both "in vert and venison." It was however afterwards restored to him.

A grant of privileges made about this time to one John de Tregoze, then engaged in an expedition into Gascoigne, stipulates (inter alia) that his wife and family shall abide safely in Devizes castle, and have firewood from the forests. 22. Edw. I. An order arrives in the 25th of the same reign, to the Governor of the Castle, to liberate Edmund de Ramsay, and William Olifard; most probably two Scottish prisoners.

Edward being anxious to settle the property on Margaret of France his second queen, induced

Matthew Fitz-John in 1305, (33rd of his reign,) to surrender and release the same into his hands, and to receive in exchange the manor of Wrexhall in the Isle of Wight. The queen nominated as her Seneschall at Devizes, John Bluet, who in the first year of the following reign, was compelled to surrender it into the hands of Hugh le Despencer, the luckless favorite of Edward II.

In the 6th Edw. II. a commission arrived, directing the Governor or his locum-tenens "to put the castle into a defensible state, for the preservation of the safety and honor of the king." This order was on account of the factions then raging between the king and his barons. David de Lindsay a Scottish General was at this time lying in the Castle, a prisoner of war, and in the 8th of the reign, Hugh le Despencer was ordered to liberate him, and give him safe conduct through the realm to his own country. This was just after the defeat at Bannockburn had been sustained.

On the rebellion of the Barons in 1320, the Despencers both father and son were disinherited and banished the kingdom, after which Sir Oliver de Ingham, one of the king's most faithful adherents, succeeded to the grant in the room of the former. The ancestors of Sir Oliver were seated at Ingham in Norfolk in the twelfth century. He himself is described as a young lusty and valorous soldier, and in his effigy, which is still in excellent preservation in Ingham Church, he is represented grasping his spear with both hands, and reposing on a bed of large stones; a position by which is

designed to indicate the martial hardihood of the knight. He was long engaged in the wars with Scotland, and on the breaking out of Leicester's rebellion, accompanied the king at Cirencester, Gloster and Shrewsbury. Shortly after his appointment to this castle, he was made Seneschall of Aquitaine, whither he proceeded at the head of 7000 men. *

The appointment of William de Berwick to the Lordship of Devizes is the next circumstance that meets our notice, 4th Edward III. Subsequently it was again included in the dowry of the queen consort, Philippa of Hainault, who dying in 1369, it was transferred to the hands of Roger de Bello Campo, (*Gallicè, Beauchamp*) Baron of Bletsho and grandson of Walter de Bello Campo of Alcester. This nobleman was renowned as being one of the most accomplished knights and eminent warriors of the chivalrous days of Edward the third. In 1346 we find him serving in France, and in the following year, the king confirmed to

* While commanding at Bordeaux, he completely cut to pieces a French army sent against him; having brought them within his power by stratagem. The means by which he effected this were as follows.—He armed the citizens, and retiring with them into the castle, caused the city-gates to be thrown open, a feigned tumult to be excited, and then planted the French standard on the summit of the keep. The enemy presuming the place to be already captured by some of their own party, entered pell mell, and meeting with but little opposition, fell to pillaging the town; when the valiant Seneschall issued from the castle, and put them to a direful rout.

him and his wife Sybil, the manor of Lediard Tregooze in Wiltshire. He was afterwards made Captain of Calais, and accompanied the king into Gascoigne.

In the course of his wardenship at Devizes, the castle was allotted for the habitation of two royal hostages in the persons of the sons of Charles de Blois, a nephew of the king of France. Charles was taken prisoner in a contest which he was maintaining for the dukedom of Bretagne, with his own uncle John Earl of Montford, who was assisted by Edward of England. The sons were exchanged for their father, and they appear to have remained in England for several years, even long after the quarrel had been set at rest by his death in 1364. Entries in Rymer's Fœdera, shew them to have been committed to the custody of Lord Beauchamp at two different periods.

In the last year of Edw. III., Roger, being then Chamberlain of the household; in consideration of his long and eminent services, received a pension of a hundred marks per annum, arising out of the fee-farm of the Castle and Town of Devizes, his son who bore the same name, succeeded him in the personal occupation of the said Castle.

From an entry in the Calendar inq. post mortem. it appears that during some part of Lord Beauchamp's wardenship, the premises must have been farmed by William of Edyngton the Bishop of Winchester. The inquisition is dated 6th of Richard II. (1382) but this was sixteen years after the Bishop's death. It describes him as having

died seised of "The manor of Steeple Lavington. The Castle and wards of Devizes. The manor of Tinhead—and the manor of Edyngton, (which last remains to the Bishoprick), for the maintenance of the Church of Edyngton, and of the chapels therein."

1379 In one of the Exchequer Calendars, occurs a singular memorandum, dated 25 February 1379 3rd Rich. II; certifying that "John de Waltham, clerk, has deposited in the Treasury of the king for safe keeping, an indenture made between the aforesaid Lord the King of the one part, and Nicholas Sharneffeld of the other part; for the holding of the Castle, Town and Park of Devizes, and of the forests of Melksham and Chippenham with their appurtenances, by the said Nicholas put out to farm for the rest of his life. And the Indenture is deposited in a certain chest above the recess, in a pixis with the following mark"

1390 In 1390 we find it settled on the lady Anne, Richard the second's first Queen. She died in 1395; four years after which, the king was deposed by the Earl of Lancaster, who mounted the throne as Henry IV.; when Devizes was most probably again included in the queen's jointure. It is certain that such was the case in 1412 when Henry espoused his second wife Joan of Navarre, the dutchess dowager of Bretagne.

Subsequently it passed through the hands, and became the occasional residence of Humphrey duke of Gloster (popularly known as "the good duke") the younger brother of Henry V, and protector of the realm of England during the minority of his nephew Henry VI. This generous prince had to experience, what many others have also discovered that the people's favourite is not always the favourite at Court. It is a matter of no great difficulty to perceive the causes of the deadly animosity with which he was pursued by such men as Suffolk and Cardinal Beaufort; or by "England's dear-bought Queen" the haughty Margaret of Anjou, but it is less easy to understand how he should ever have come to be an object of dislike and suspicion to the mind of one so kind hearted as was the young king, and so thoroughly persuaded as he appeared to be at one time that "Whoever might be the traytor, Gloster was none." Dr. Lingard conjectures that the Duke harassed by the accusations of his enemies, may possibly have formed a plan to make himself master of the royal person; or that Suffolk to screen himself from the resentment of the Duke, for his having ceded away the provinces of Maine and Anjou to the French, infused into the mind of Henry, suspicions of the loyalty of his uncle. However this was, Henry was induced to summon a parliament to meet, not at London, which was supposed to be too well affected to the Duke; but at Bury St. Edmunds, where his enemies trusted that he would lie entirely at mercy. The precau-

tions that were taken, excited surprize and gave birth to numerous conjectures. The knights of the shire received orders to come in arms, the men of Suffolk were arrayed; numerous guards were placed around the king's residence, and patroles during the night watched all the roads leading to the town. The Duke of Gloster left his Castle of Devizes on Feb. 10. 1447, and was present at the opening of Parliament. The next day he was arrested in his lodgings, on a charge of high treason, by the Lord Beaumont Constable of England, and seventeen days after, was found dead in his bed, without any external marks of violence; reports were spread that he died of apoplexy or of a broken heart; suspicion whispered that he had been privately murdered*.

* In opposition to the popular rumour of the day, and the authority of Shakespeare as to the treacherous designs of Suffolk and the Cardinal Beaufort in this matter; Lingard infers from the narrative of Whethamstede, abbot of St. Albans, that Gloster died a natural death. The Doctor however, be it remembered, is a Roman Catholic. "That writer" says he "who had received many benefits from the duke, was much attached to his memory, which he vindicates on all occasions, and equally prejudiced against his enemies, whom he calls canes scorpiones, impii susurrones; and yet though he wrote when the royal party was humbled in the dust, and he had of course nothing to fear from their resentment, he repeatedly asserts that the duke fell ill immediately after his arrest, and died of his illness. He could not then have been in perfect health on the evening preceding his death, as we are told by some writers. Again Whethamstede says. "This great warrior and second David, præ tristitia modo deposuit arma sua, recescitque ad regionem illam ubi pax est et tranquilla requies sine inquietudine ulla" After the duke's death, several knights and esquires

The castle and manor of Devizes were then settled on Queen Margaret, though we may reasonably presume that the former must have occasionally changed hands, in the confusion that na-

in his service who had assembled at Greenwich on the very day of his arrest, and purposed to join him at Bury, were made prisoners and five of their number were tried, and convicted on a charge of having conspired to come to the Parliament in arms, to destroy the King and raise Gloster to the throne, but the humanity of Henry did not permit them to suffer. They were tied up, instantly cut down, stripped and marked for dismemberment by the knife of the executioner. At this moment Suffolk announced to them the king's pardon. All this has been represented as but an artifice of Suffolk to lessen the odium which he had incurred by the murder of Gloster, but it is well known that Henry's humanity abhorred the punishment usually inflicted for treason. One day seeing the quarter of a person who had been executed, fixed on the Tower he exclaimed, Take it away, it is shameful to use any Christian so cruelly on my account (*Blackman* 301) In the present case the king asserted that the pardon had not been suggested to him by any person either lay or clergymen, but that it originated from religious considerations, principally because God seemed to have taken the cause into his own hands, having during the late year "touched and stricken certain of those who had been disloyal" Rym XI 178. Who were the persons whom God had stricken? of course Gloster was one, and the expression is a proof that he died a natural death, for this religious prince would never have used it if the duke had been murdered. Finally it is observed, in allusion to the charges brought against Suffolk when the popular indignation rose against him in 1450 that in neither of the impeachments was there any allusion to the death of the duke. See Lingard, Vol. 5. Gloster's remains were interred in the abbey church of St. Albans, where his monument and that of his biographer Whethamstede, form two of the principal decorations of that venerable fabric. The body which remained long undiscovered, was found in 1703 in entire preservation, but exposure to the atmosphere

turally arose out of the civil wars of this reign. In the "Act of Resumption" of the king's demesnes appearing on the parliamentary rolls, dated 34th Hen. VI. among numerous exceptions and provisoes, is one in favour of Sir Edmund Hungerford, knt. as being in possession of the said castle and manor. The proviso secures that the act of resumption shall not extend to the grant made to Edmund Hungerford, knt. for the term of his life "of the constableship of Devizes in the County of Wilts, the keeping of our forests of Melkshani, Pevesham, and Chippenham—the office of porter of our said castle, the office of parker of our parks, ne of allmanner and singular offices of foresters and raungers of our said forests, with allmanner wages, fees, profits, and commodities, to the said offices and keepings, of old time due, accustomed, and appertaining." Provisoes of a similar character occurring in acts dated 1461 and 1464. (1st and 4th of Edw. IV.) present us with the fact that Richard Beauchamp bishop of Salisbury was then in possession; but in this case, only for a term of years. The original agreement between this

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soon wasted the flesh. The skeleton was found to correspond in its proportions, with the gigantic height, which tradition had ascribed to him, but bone after bone began to be pilfered by the curious, till now there is nothing left of "Good Duke Humphrey" but the skull and three or four other bones. These are still displayed by the local antiquary, in the vault where they were discovered. A packet of Duke Humphrey's letters written from Devizes, are contained in the Michæl Record, 7th. Hen V. Rot. 1.

bishop and the king is preserved at Salisbury, but it contains nothing of sufficient interest to render its entire insertion in this place necessary. The castle, manor, parks, borough, demesnes, and forests were to be held for 20 years at £46 13*s* 4*d* per annum, and the Bishop was to keep in repair the walls, enclosures, and houses, and to undertake all the other burdens and responsibilities, usually attendant on the post. An entry in the "Calendar of post mortem inquisitions" shews however that in the interval between the two last mentioned occupants, should be introduced the name of William Beauchamp, who died seised of the Castle in the 35th Henry VI. He was grandson of John Lord Beauchamp of Powyke, and himself, Baron of St. Amand: from his sister Elizabeth, who was married to Sir John Bayntun, knt. descended the family of that name, so long distinguished in this county.

From the same Calendar it appears also that two other persons had in the early part of the same reign, died seised of the "members of Devizes Castle" viz: Walter Beauchamp in the 9th, and Matilda Countess of Arundel in the 15th year. In 1467, 6th of Edward IV. the estate was settled (*inter alia*) by that monarch on his queen Elizabeth, and she appears to have enjoyed it without interruption until the year 1486, the period at which she was despoiled of all her possessions by her son in law Henry VII., under pretence of punishing her for the part she had taken in Richard IIIrd's reign, in delivering up to him the prin-

cesses her daughters. Devizes was then settled on Henry's own queen, Elizabeth of York as she was called.

So far as we have been able to learn, neither Devizes nor its Castle, formed the scene of any event of importance, during the wars of the roses, which had been desolating the realm, during the reign of Henry VI. It appears to have remained all along, in the king's interest, and no doubt exercised a considerable influence on the adjacent country. The people of Wiltshire, generally speaking, were attached to the Lancastrian side, and great numbers of them were at the battle of Tewkesbury. Holinshed observes that Margaret's last army was principally raised in Wiltshire.

It is very probable indeed, that the reign of Henry VII. which followed shortly after these events, forms the æra when the Castle was ordered to be dismantled. We know certainly that it was still a princely residence in the days of Humphrey Duke of Gloster, and we feel disposed also to think that it continued to be occupied as such by Elizabeth the Queen Dowager, up to the period when, as stated above, she was ungenerously despoiled of her estates by Henry VII; but this is only conjecture. As there is therefore no evidence to warrant its existence as a residence, later than the period in question, but much presumptive proof to the contrary (though included by name in subsequent grants), we shall not be far wrong in attributing its demolition to a monarch who lent his hand to the removal of so many other of

these obnoxious nests; the constant scheme of whose policy, in short, was to depress the great, to encourage commerce, and to exalt men who might be more dependent on him. The numerous inland fortresses with which England formerly abounded, though very necessary in the hands of the Normans for the purpose of maintaining the subjection of the Saxons, soon proved terrible thorns in the side of the reigning sovereigns. The stability of the Crown was perpetually shaken by the powers afforded by these castles to their lordly owners, who, surrounded by troops of retainers, in constant readiness to assist them in all wars, insurrections, and riots; frequently defied the authority from which their own descended, and gave occasion to violent civil commotions. Edward III. dismantled several castles, but their numbers were not relatively much diminished, till Henry VII. laboured by this and other means to strike a final blow at the powers of the Barons. His efforts were in a great measure successful, and were not a little aided by a law enacted during his reign, whereby the nobility and gentry acquired the power of breaking the ancient entails, and of alienating their estates. This power joined to the increasing influence of luxury and the arts of peace, tended greatly to dissipate the vast fortunes of the barons (who were already half swept away by the civil wars) and to exalt the condition of the commons.

"The Castle, Lordship, and Manor of Vyze" were afterwards settled by Henry VIII. on Katha-

rine of Spain his first wife, and subsequently on Katharine Howard his fifth queen.

(In the year 1536, we find Anne Bulleyn at Devizes.)

In 1st Edward VI. the king reciting the above grant to Queen Katharine, grants to Thomas Lord Seymour, (inter alia) the revenue of the said premises to hold for life.

In 34th Elizabeth. The Queen grants the Park to three persons of the name of Compton, Wright, and Meyrick.

From these extracts, and from other records preserved in the Augmentation office, of leases of premises in Devizes, parcels of the manor, borough and castle, we may infer that these had not passed from the crown in fee and perpetuity earlier than the reign of Edward VI. when the castle was granted, as stated above, to Lord Seymour of Sudeley, who was afterwards attainted of high treason. After his attainder, the old and new parks remained in the crown till granted at the request of the Earl of Essex, to Compton, Wright and Meyrick.

Afterwards the inheritance came to William Earl of Montgomery. Matthew, afterwards Baron Eweng, and other daughters of the Earl made several leases of it. In 7th James I. the Earl with others, in consideration of £5000, and by deed dated 8 July, 1609, enrolled in Chancery, conveyed the same to Sir Peter Vanlore and his heirs. Sir Peter had issue, among other children, Mary, upon whom and the heirs of her body, the

Devizes parks were settled, with the remainder to the right heirs of Sir Peter.

Mary married Sir Edward Powell, who when his wife was on her deathbed (by force and fraud) procured fines to be levied by himself and her, with warranties by which the remainders were barred. Sir Peter Vanlore the eldest son and heir of the above Sir Peter, had issue three daughters, who as the heirs of Sir Peter Vanlore the elder, exhibited their petition in parliament to reverse the fines levied by their aunt Mary; and the same were reversed by act of parliament 14th Charles II.

Afterwards by deed of partition 11 June, 16th Charles II. certain parts of the premises were allotted in severalty to Henry Alexander Earl of Sterline, (son and heir of Henry Earl of Sterline deceased, by the lady Mary his wife who was one of the daughters and co-heirs of Sir Peter Vanlore the younger,) Another part to Robert Crook and Dame Susan his wife (another of the daughters of Sir Peter Vanlore) and the heirs of the said Dame Susan; and the remainder of the premises to Henry Alexander Esq. and Jacoba his wife (the other daughter of Sir Peter) and her heirs.

In resuming the account of the Castle itself, after the period of its being dismantled, the earliest notice which meets our attention is one of a graphic kind, from the pen of the antiquary Leland. He visited Devizes during the reign of

Henry VIII. and thus describes the place in his "Itinerary" Vol. VII. p. 80. (The spelling is modernized) "The town of Vies standeth on a hill somewhat clyving (declining) and mostly occupied by clothiers. The beauty of it is all in one street; the market is very celebrated. There is a castle on the southwest side of the town, stately advanced upon a high ground, defended partly by nature and partly with the dykes, whereof is cast up a slope, and that of a great height, to the defence of the wall. This castle was made in Henry 1st's days by one Roger bishop of Salisbury, councillor and treasurer to the king; such a piece of castlework was never before nor since set up by any Bishop of England.—The keep or donjon of it, set upon a hill cast by hand, is a piece of work of an incredible cost. There appear in the gate of it six or seven places for portcullises, and much goodly building was in it. It is now in ruin, and part of the front of the towers of the gate of the keep, and of the chapel in it, were carried full unprofitably to the building of Master Bayntun's house at Bromham scant three miles off. There remain divers goodly towers yet in the outer wall of the Castle, but all going to ruin. The principal gate that leadeth into the town is yet of great strength, and hath places for seven or eight portcullises.—There is a fair park by the castle. The forest of Blakemore lyeth in a bottom toward the north-west, not far from the town."

Lambardi who wrote his "Dictionary of the chief places in England" in the reign of Elizabeth,

about the year 1570, thus alludes to Devizes. "The market continueth, but the castle, from being the most gorgeous in Christendom, for so was it sayeth Matthew Paris, is become fellow with the most decayed." Camden who wrote in 1586 bears a similar testimony.

Leland speaks above of the erection of old Bromham Hall. That edifice was constructed partly with stones furnished from Devizes Castle, and partly from the ruins of an old manor-house at Corsham; but having been destroyed by fire, near the commencement of the last century, the family of the Bayntuns removed to Spye-Park, one of the lodges of which park was composed of the stones which had survived the conflagration. The tradition that the lodge in question primitively formed part of Devizes Castle is still preserved among the peasantry of Lacock.

Another part of the above description by Leland stands perhaps in need of a little explanation. By the expression "the gate that leadeth into the town" he must not be supposed to allude to what we should now understand by a *city-gate* or *town-gate;* but to the long protected passage reaching from the mound on which the keep stood, to the main-entrance near what is now the Bear-Inn-yard; and in the same sense must also be taken the previously mentioned "gate of the keep," being the passage from the portal over the moat to the entrance of the keep;* which entrance as

* The word *gate* in Leland's time seldom or never meant the mere *portal* or *bar*, but was synonymous with *passage*,

in other Norman towers, we may presume to have been connected with one of the upper stories, and approached by a steep flight of steps against the face of the wall; unless indeed the reader prefers to picture in imagination a circular Saxon tower, (like that of Coningsburgh,) as the distinguishing feature of this part of the work, and thus dignify it with a foundation by Alfred the Great, in accordance with the assertion of Dr. Walker, in his edition of Spelman's life of that monarch. But of what form soever the keep was, the approaches and outworks were no doubt the work of Bishop Roger, and the above allusion to the number of portcullises by which they were defended, affords presumptive evidence that the language of the olden writers was not overstrained, when they celebrated the impregnable character of this "Maiden Castle."

It is astonishing indeed, how uniformly these same writers all agree in characterizing it as a structure of more than ordinary magnificence. Their expressions are so perpetually in the superlative degree, that if one only of them had lived during its existence, we might be almost tempted to throw the evidence of the others aside, and conclude that they had all copied from him. But as the keep is known to have been standing as late as the time of Charles I. these various writers all possessed

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gangway, or *road*, and in this sense is still understood and applied in Scotland, as in the proverb *A wilful man maun gang his ain gate*. A *runagate* is a *runaway*, and many other expressions of the same kind will instantly recur to every one.

the opportunity of amending their authority, if that authority had been defective. Among others that might be cited, Matthew of Westminster and Matthew Paris declare it to have been the most stately castle in Christendom; Holinshed, that it was the strongest hold in England; while William of Malmsbury, and following him, Henry of Huntingdon agree in describing it as the most formidable in Europe. To these may be added the quaint testimony of an old French writer who says "C'etoit jadis un Chasteau magnifique, fortifié d'assiete et de travaux, maintenant defigurè par l'injure de temps.—Roger de Sarisbury le fit bastir avec de grands frais afin qu'il elévast la teste par dessus tous les autres chasteaux d'Angleterre."

Having said thus much, there is little more that can be added.—The keep was no doubt the part which attracted the principal admiration, but as this has been razed to the ground for more than a century, it were idle to attempt any minute examination of the points of a structure, of which every architectural feature has so long been swept from recollection. Mr. Leach the present proprietor of the estate (1839) has with a laudable zeal, caused extensive excavations to be made on and around the Castle Hill, with a view to ascertain the extent and range of the walls. The foundations he has laid bare, embrace an irregular quadrangular area varying from about 80 to 120 feet across; but the thinness of the walls yet discovered, together with another fact with which we are acquainted, viz. that the works were consider-

ably modified at the time of Charles' Civil wars, in order to suit the altered mode of defence, render it a matter of considerable difficulty to decide upon their exact form, from present appearances. The Royalists appear to have thrown up breastworks all round the area, and more particularly on the side facing the town (being the part on which the two windmills were subsequently erected). This is seen from the circumstance that the external earth reposes against the face of well-executed walls, from which, the windows are defended by means of lateral arches or semi-cones, and these arches are of very rude construction, evidently not co-temporary with the wall itself. There was also discovered a quadrangular cell or pit, which opened only from above. This was immediately conjectured to be the dungeon of Hubert de Burgh, and such indeed it might rationally be taken for, if it could be proved that the keep stood over this part; for it is almost unnecessary to remind the reader that the original word *donjon*, in its proper signification, means the strongest part of a feudal castle, and is synonymous with the keep, being a high square tower, with walls of tremendous thickness, situated in the centre of the other buildings, from which however it was usually detached. Here in case of the outward defences being gained, the garrison retreated to make their last stand. The donjon contained the great hall and principal rooms of state for solemn occasions, and also in its lowest story, the prison of the fortress; from which last circumstance we derive the

modern and restricted use of the word *dungeon.* *

Since the above was written, additional fragments of the walls have been brought to light. It now appears manifest that the basement stories were originally laid at a level considerably lower than the altitude of the earth works would lead a casual observer to suppose at the present day. It was at first intended to illustrate these remarks by a Plan of the Castle in which the portions now remaining would have been used as guides to an attempted restoration of the whole; but as nearly all that has yet been discovered, serves rather to show how extensively both fabric and entrenchment have been altered at various times, than to exhibit the forms they originally assumed, such a task is thereby rendered as difficult, as it must of necessity prove unsatisfactory.

There is one feature in the Norman Castles which was universally prevalent, viz. the large square keep alluded to above, within the bounds of the other buildings. Some of these keeps had walls 15 and even 18 feet thick; others, as at Rochester, were formed with double walls. There is nothing however in the present ruins of Devizes

* See Notes to Marmion.—Sir Walter Scott adds—that Ducange conjectures plausibly that the name is derived from these keeps being usually built upon a hill, which in Celtic is called *Dun.*

Castle which seems to recall this characteristic of the Norman style, for the partitions which are regarded as belonging to the keep are attached to an outer wall, unless we suppose that as the base was once lower as stated above, it was also wider, though the keep would still retain its relative position. Possibly however the remains in question are not those of the keep. As the case therefore seems hopeless, the accompanying plan simply displays Mr. Leach's discoveries, without any regular attempt to adjust the various parts.

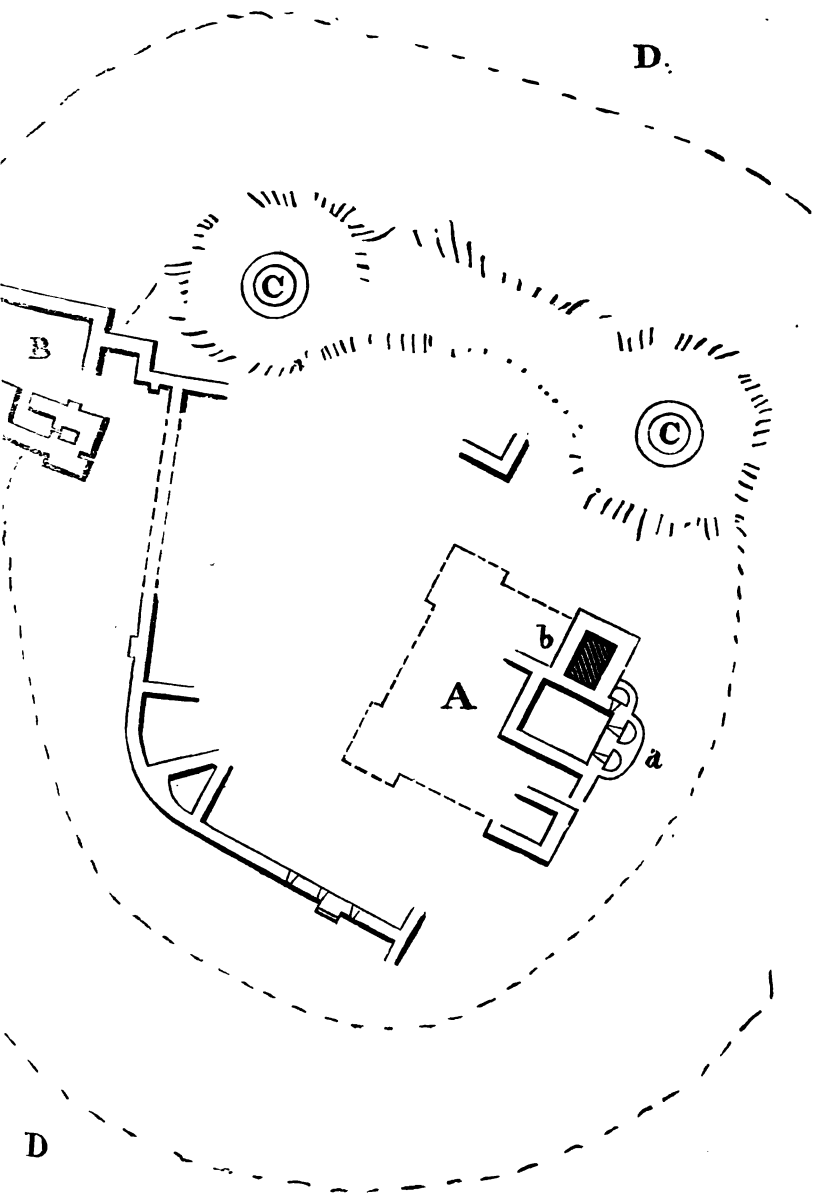
A. Represents the supposed keep. *b.* The pit above alluded to, of vast depth and floored with cement. *a.* The semicones for the defence of the windows opening into the adjoining chamber. This room was plastered throughou t.

B. Is the principal entrance.

C. C. Two windmill towers supposed to have been erected at the commencement of the last century. They were originally used for making rape oil, and subsequently employed in the manufacture of snuff.

D. The moat.

But besides the parts here delineated, there was evidently a glacis and extensive curtain, stretching between the Castle and the Town, that being the most assailable point. Some idea of the direction which the main entrance here assumed, as also of the form of the external defences at that point, may be gathered from Dore's plan of the Town.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CHAPTER V.

PROGRESSIVE IMPORTANCE OF THE BOROUGH UNDER THE TUDORS—BREAKING OUT OF THE CIVIL WARS IN CHARLES I. REIGN—DEVIZES SUSTAINS A SEIGE FROM THE PARLIAMENT'S FORCES—BATTLE OF ROUNDWAY-DOWN—SIR HARDOLPH WASTNEY MASSACRES 5 PERSONS AT DEVIZES—THE KING RE-FORTIFIES THE CASTLE—CROMWELL STORMS AND TAKES IT—THE PARLIAMENT ORDERS THE WORKS TO BE DEMOLISHED—MASSEY'S BRIGADE DISBANDED—MODERN OWNERS OF THE CASTLE LANDS—EXTRACTS FROM THE CHAMBERLAINS' BOOKS.

With the decadence of the Castle, the importance of the borough had gradually advanced, and the thriving inhabitants, forgot in the clatter of looms and spinning-wheels, what a troublesome neighbour their forefathers had long known. Now, Mr. Mayor, instead of being second in degree, came to have precedence at all times and places. The awful mace was shaken with new energy in the faces of misguided men, and many an instance existed to shew that if its paternal jurisdiction did not command the lives of those who fell within its sweep, it claimed at least the

disposal of their ears. In this flourishing and palmy state did things continue during the days of Queen Elizabeth, the honest burgher experiencing but little cause of annoyance beyond the limits of his own municipality, under the serene sway of a princess who was too politic to practice on her faithful commons those extortions which her prerogative really gave her the power to inflict. But with the accession of James came a new æra, and the good people of Devizes were reminded that the distinction of being termed the king's liegemen, was one of which they would be occasionally called upon to testify their grateful sense, We allude to the practice of extorting loans and benevolences from the subject, though it must be confessed that it was but very partially resorted to in this reign, compared with the system pursued by the imprudent Charles, who by attempting to revive these and other enormities, kindled in the breasts of so many of his subjects that hatred which finally drank up his blood. Killing the king however was a charge never laid to the town of Devizes. They had been so long drilled in the school of loyalty that they suffered that virtue to be taxed to the utmost during the period of these cruel wars. All former benevolences and loans were nothing compared with the sums which under various colours and pretences, were now drained from them, and handed over to the king's officers. The incessant and heavy demands made at this time on the helpless natives, must have driven them almost to madness, and it is more than pro-

bable, that when Cromwell came to batter down the Castle, and by thus destroying the nest to drive away the rooks, he was hailed as the greatest deliverer which the town could possibly know. To the circumstances of that unhappy period in so far at least as Devizes is concerned, it now becomes necessary to direct our attention. The sources from which the following narrative of them is extracted are Clarendon, Whitelock, and the newspapers of the time. The statements in some of these are necessarily of a conflicting character, which has rendered it a matter of some difficulty not only to reconcile the details given by opposite parties, but to dispose of each circumstance in its proper order of time.

To render the account intelligible, it is necessary to begin by stating that the Marquis of Hertford, was in the summer of 1643 commanding the king's forces in the west of England. Receiving intelligence, while lying at Taunton, that Sir William Waller the Parliamentary general was near Bath, he hastened to meet him, and an engagement ensued at Lansdown near that city, July, 1643. The victory was claimed by both parties, but the advantage was clearly possessed by Sir William. With a forlorn remnant of five hundred horse, (out of two thousand) and about 2000 foot, the Marquis found it absolutely necessary to commence a retreat towards Oxford the king's head quarters, and took the route through Chippenham, Rowde and Devizes, (a rather crooked way of getting there, we should think now-a-days.)

At Chippenham Waller came up with him but was repulsed, and again at Sir Edward Bayntun's at Spye-park, from which place a running fight was maintained on the rear, all the way to Devizes. The royalists gained the town first, and as night was approaching, Waller drew back to Rowde.

The difficulty with which the king's party had resisted, during this march, the attacks of Waller's numerous horse, convinced Lord Hertford that for the infantry to attempt to continue the retreat to Oxford across the open downs, would be a most desperate undertaking. It was therefore determined that he and Prince Maurice should that same night break through with the Cavalry to Oxford, and that Sir Ralph Hopton at the head of the infantry and the Earl of Marlbro' who commanded the artillery, should remain in Devizes and endeavour to hold the place out until assistance arrived. In accordance with this resolution therefore, the greater part of the horse got away during the night and reached Oxford on the morrow, though the manœuvre was not executed without danger, for a party of skirmishers fell on their rear a short distance from Devizes, and took eighteen prisoners.

Very early the next morning, Sir William Waller receiving intelligence that the Earl of Crawford was on his way from Oxford with a supply of powder for the king's troops, broke up from Rowde, and leading his whole force over Roundway, stationed them on the downs north east of Devizes. He then sent forward a detachment

of dragoons under Major Dowett, to intercept the convoy which was by this time understood to be within two or three miles of them. The Earl who little suspected that his enemies were so near at hand, was overpowered at the first charge, and fled with precipitation, leaving behind him five loads of ammunition and two hundred prisoners.

Meanwhile, Waller drew back the main body towards Devizes, and on descending the hill for that purpose, discovered a party of Hopton's troops, who, anticipating Crawford's approach, were coming forth to meet him. But on perceiving their mistake, turned about and were chased into the town.

Waller then drew all his forces about it and beleaguered it as closely as possible. He likewise constructed a battery of seven guns on a hill near the town, and thence poured in shot without intermission.* It is a matter of some doubt whether or not Devizes at that time could boast of any thing in the shape of a wall of defence, or line of circumvallation. Clarendon asserts that there was none, though from such entries of payment, in the Chamberlain's books as the following, viz. "for mending the town-wall, and for chaining and blocking up the towns-ends at various times," one might be led to infer that the place was supplied with some better defence than could be furnished by the "small ditches and hedges," which

* By this hill must be meant, the rising ground to the east of Devizes, immediately beyond the Green Church; a spot which commands an extensive view of the whole town.

that writer tells us constituted the only available fortification. The above entries are in 1642, the year preceding the events we are narrating, and to them others might be added, referring to the purchase, mounting, and fixing of heavy ordnance. Devizes was no doubt a strong-hold of the king, and numerous officers and men appear to have been constantly quartered here.

Whatever these defences were, it was found necessary by the royalists on the present occasion to make the best possible use of them. On them, says Clarendon, the foot were stationed, and some guns conveniently planted. The numerous avenues and approaches were also barricadoed with ditches, blocks of timber, and other bulky materials, to prevent the entrance of the horse, whose effects were chiefly to be apprehended. But the great extent of ground they attempted to defend, rendered the royalists but ill able to withstand the repeated assaults of Waller's men. In four hours he carried the outworks and drove the beseiged into the streets. In the afternoon, being reinforced by the return of Major Dowett from the capture of Lord Crawford's convoy, he renewed the attack, and attempted to force his way into the streets at various points, but was unable to make any further impression.

He then sent a trumpeter into the town with the intelligence, that having cut off their supplies, they were now at liberty to consider their case quite hopeless; withal advising them to surrender forthwith to the mercy of the Parliament,

with whom he promised to mediate on their behalf. The proposal for an armistice was any thing but disagreeable to Sir Ralph Hopton; not that he intended to close with any terms, but felt that a short respite was now become absolutely necessary, to recruit the jaded spirits of his men; for the points of defence were so numerous and widely extended, that his whole force was upon perpetual duty together. He therefore eked out the period of capitulation as long as possible, in order not only to gain some little time for sleep to the troops, but to save the expenditure of ammunition, an article which was rapidly failing them. During the night which followed, officers were employed to search every house in the town and collect all the bed cords and matting that could be found. These by being beaten and boiled, were by the morning, converted into match for the use of the musqueteers. The roofs of the churches were also robbed of their lead to furnish bullets.

Hostilities were about to recommence on the next day, when the face of things became changed by the return of Lord Hertford from Oxford, who reached the downs at noon, accompanied by Lord Wilmot with a reinforcement of fifteen hundred dragoons and two small field-pieces. When within two miles of the town, a signal was made with these two pieces to indicate to their friends the arrival of assistance. *Waller* however was in no need of such intimation; the activity of his scouts had rendered him fully sensible of the enemy's approach, and accordingly without sound of drum

or trumpet, he had promptly drawn up his whole army to the brow of Roundway-down, with the view of preventing their juncture with Hopton's infantry.

These latter had heard the discharge of the signals from the plain, but concluded both *that* and the drawing off from the town by their opponents, to be merely a feint for the purpose of enticing them from their lines. Intelligence however presently arriving as to the real state of things, they instantly put themselves in motion to join in the affray; but ere they could arrive at the scene of action, Waller from his anxiety to prevent the union of the two parties, had already commenced an engagement with Lord Wilmot's troop. The attack was led in a somewhat disorderly manner by Sir Arthur Hazlerig at the head of a body of cuirassiers in complete armour,* a troop which had hitherto been deemed invincible, but which on the present occasion was encountered in so spirited a manner by Sir John Byron (an ancestor of the peer and poet of that name) that it was totally routed, and in full career dashed upon

* This troop was called the regiment of lobsters. The use of complete suits of armour had fallen into partial disuse at the time of these wars, though it was still pretty generally worn by leaders and generals. The battle of Dettingen in 1743, was the last occasion on which English dragoons wore defensive armour. The cuirasses used on that occasion were then laid up in the tower of London, and are the very same now again adopted by the household troops. This circumstance was stated at the examination of some officers lately, as to the comparative expenses of the Guards, and other troops of the line.

their other horse. The affair then became more general, and an obstinate contest was maintained around the artillery, in the course of which it was captured and retaken three several times. In the end, the parliament's horse fled in confusion, and as Clarendon tells us, "were in half an hour so thoroughly dispersed, that not one of them was to be seen on that large and spacious down" each man shifting for himself, and encountering greater danger by descending the steep sides of the hill than he could have risked by engaging his enemy. But the nature of the ground, unfavourable for flight, was equally perilous for pursuit, and after the rout, more perished it is said, by contusions and falls from their horses down the precipices, than had been slain in the fight.

But the battle was not yet over: Waller's foot, to the number of nearly 3000 had hitherto taken no part in the engagement, and were still standing on the defensive. Now came the Cornish infantry from the town, panting up the hill: against whose arrival, "in order," says our authority, "that they might be *refreshed* with a share of the conquest, Lord Wilmot had intentionally delayed charging the troops that yet maintained their ground." To the execution of this coup-de-grace they now therefore proceeded in concert. The captured cannon was directed against the devoted battalions, who being assailed both in front and rear, were soon subjected to a severe carnage.

Clarendon in his account of the order of battle which Waller had assumed, says, that he had strong

wings of horse to his foot, a good reserve placed, and his cannon usefully planted; but that from the confidence which he entertained of victory over such a handful of men as his opponents appeared, he quitted this posture and marched the cavalry forward unprotected by the rest. Another account adds that "the foot were stationed on a hill behind the artillery." By this hill, it is hard to say whether or not allusion is made to the ancient earthwork, popularly called Oliver's Camp, since it is impossible to determine what part of the downs would be chosen to intercept a route from Oxford, unless we suppose that route to have lain between Heddington and Calstone, through Calne and Wootten-Bassett. That the reserve spoken of, might have been stationed there, or that the infantry might have retreated behind its embankments, in order there to make their final stand, are conjectures thrown out simply for the purpose of adding, that supposing this spot to have really formed the theatre of some part of the transactions of this day, such a circumstance is the only one which gives any colour to its being coupled with the Protector's name. In that general's subsequent proceedings in and about Devizes during the two following years, he had no need of such an out-of-the-way place as this to cool his troopers' choler. May it not be said indeed, that in hardly a single transaction of the war, do we find him standing on the defensive: he was no Fleming—"rampant behind walls, and rubbish in the field" but led the van till his dying day.

In the above recital, Lord Clarendon's account has been chiefly followed, It is but fair to add that all the parliamentary papers assert Lord Hertford's force to have been at least 2000 horse or even 2500; and Major Byron one of Waller's prisoners is said to have acknowledged that there were three or four other regiments in ambush (though this latter it must be confessed is a doubtful assertion.) Waller's horse, it is added, were so jaded with having for two whole days assaulted the Devizes, that both horses and men were tired and hungry, and ready to fall down for want of sleep. Nevertheless Sir Arthur Hazelrig's and Waller's regiments fought very bravely, though the Western Horse fled with precipitation. The foot besought them to stay and succour them, but in vain; and so finding themselves deserted, they gathered into a dense body and repelled with their pikes several charges of the Cavaliers. In this battle (continues one report) only 50 horse were lost, and the greater part of the foot, by the industry of a little Scotchman were brought off bravely. Sir William Waller carried with him 60 Cavaliers prisoners to Bristol, whereof Sergeant-major Byron was one. The noble Commander Sir Arthur Hazelrig deserves a second Homer to set forth his valour in this action, for notwithstanding the perfidiousness and cowardice of the Western troop that fled, he charged right through the enemy, recovered four pieces of Cannon, and beat 2000 of them to the foot of the hill; but then, 00 that were fresh, set upon him and worsted

him. Captain R. Baugh at the first onset that he was to make, most cowardly took his flight, and his Lieutenant Richard Baugh did the like."

It is said that Sir Ralph Hopton, or some in his name, offered during the seige £30.000 to be allowed to depart with bag and baggage; which Waller refused—Alas for the poor townsmen, if Sir William had not felt quite so sure of victory: it makes one quake to think how they would have been pinched to furnish forth the necessary supplies. As it was, they came off badly enough even by Clarendon's account; and a passage in "Wednesday's Mercury" dated shortly after, seems to hint at something worse. Speaking of the outrages committed by the "popish and foreign troops, in the king's army, it is added—"A late, yet sad example we have of their inhumanities, cruelties, insolencies, and rages committed upon divers inhabitants of the Devizes, and in other towns of these Western parts, not only upon the well-affected, but upon many of their own friends; by which they do proclaim, what all other places are to expect from them, if they should become conquerors."

Roundway fight happened on the same day, and at the same time of the day that the King met the Queen near Edge-hill coming towards Oxford after her return from the Continent. In one of the numerous poetical addresses which the loyalty of that city poured forth on the occasion of her Majesty's return, this coincidence is made to form the grand climax of the successes which ushered

in the event. The following is an extract from the address alluded to.

When once the members shrunk to four,
When Hopton brought his Cornish o'er,
When as eternal Greenville stood, BATTLE OF
And stopt the gap up with his blood; LANSDOWN.
When the sly Conqueror durst not stand,
We knew the Queen was nigh at hand.

When great Newcastle so drew forth,
As in nine days scoured all the North;
When Fairfax' vast perfidious force BATTLE OF
Was turned to five invisible horse, ATHERTON MOOR
When none but Lady staid to fight,
We knew the Queen was come in sight.

But when Carnarvon, who still hit
With his keen blade and keener wit:
Stout Crawfurd, Wilmot, Byron, who BATTLE OF
Stroke yesterday's great glorious blow; ROUNDWAY.
When Waller could but bleed and fret,
THEN—THEN THE SACRED COUPLE MET.

The following oration or thanksgiving is in another style.

"Our soul shall praise thee while we live; yea as long as we have any being, we will magnify thy name, because thou hast helped him to right, who suffered the wrong: thou hast conquered him that was called The Conqueror, and hast given the king a most glorious victory over him at Roundway on the 13th July, 1643."*

* The above is quoted from memory, and having mislaid the reference, I am unable to say for what object it was composed, but believe it was never authorized to be either sung or said. Waller was sometimes styled "William the Conqueror," J. W.

The victory at Roundway produced for a long while after, the most beneficial influence on the king's affairs in these parts, and the terror of Sir Ralph Hopton's name and of his adjutant Sir Francis Doddington, appears to have been sufficient to keep all Wilts and Somerset in awe. The Sheriff of Wilts acting in the King's name at this period was Sir James Long, son to Sir Walter Long of Draycot, who had previously sustained the post, but who lost his life by falling from his horse near Cirencester. The Sheriff under the authority of the Parliament was Colonel afterwards General Edmund Ludlow, a most active officer and indefatigable agent in their cause* and the rivalry be-

* Edmund Ludlow, of Hill-Deverill was the son of Sir Henry Ludlow, and representative of this County in the parliament which brought the King to his end. He was even one of the twelve Commissioners who signed his death warrant. At the Restoration he retired to Switzerland where he wrote his Memoirs and died in the year 1693. His remains were interred by his widow in the Church of Vivay where a very long epitaph records his deeds and praises. Of the king's sheriff Sir James Long, a few words must also be added. He was a slashing young soldier of an open and generous disposition, and was the lineal ancestor of the great heiress Catharine Long, who married in 1812 William Wellesley Pole, afterwards William Pole Tilney Long Wellesley M.P. Cromwell when Protector was hawking with him one day on Hounslow Heath, and discoursing with him, fell in love with his company, and commanded him to wear his sword and to meet him a hawking; which made the more strict Cavaliers look afterwards on Sir James with an evil eye. This is related on Aubrey's authority who was a great admirer of the knight, and describes him as

tween these two gentlemen kept the county in perpetual movement. Ludlow was at first engaged in the northern expedition, but shortly before the battle of Roundway, he had been requested by Sir Edward Hungerford, the Commander of the forces of Wiltshire, to raise a troop of horse in this county, and accordingly met him for that purpose at Devizes. He was near Warminster, at the time of the battle, but fell back on hearing of the check his party sustained on that occasion.

Twelve months after that affair, a spirited action occurred in this neighbourhood, the following description of which is given in the language of the king's party. About this time, a new Committee in the County was in rearing up, composed of Captain Ludlow the Mock-Sheriff of the County, the two Pophams, Stroud, and one Bennett. *(Colonels Popham and Stroud had fought at Roundway)* These worthy Commissioners sat down about the Devizes, and began to entice the country in. They were about to put an obstinate fellow with some foot in Master Arundel's house at Hornesham, *(Near Longleat,)* but Sir Ralph Hopton having intelligence of their proceedings, dispatched from Bath towards Devizes, Sir Francis Doddington, with orders to disperse them. But their numbers encreasing more rapidly than he had expected, Sir Ralph Hopton found it expedient to come in person, and joining Sir Fran-

an excellent swordsman—skilled in faulconry and horsemanship—of ready oratory—great memory—and well acquainted with the science of natural history.

cis, repaired to Sir Ralph's own house at Whitham, there to defend themselves, in case they were attacked; and if not, they purposed to fall on the enemy the next night at the Devizes. But the Commissioners thinking fit to retire towards Hornesham, the parties came to a collision three miles from Warminster, where the scouts met and fought. The Royalists then broke their main body, and Sir Francis pursued their cavalry across the plain—through Salisbury—to the very borders of Hampshire; so that out of a body of 350 horse, only 37 crept into Southampton. Alexander Popham being hard pressed, his horse fell with him in a street at Salisbury, and had he not worn a better head-piece than his own, his brains had been dashed out. But his man, being so ready to horse him again, for his pains was taken with the horse that fell, and his master's pistols. Sure Master Popham hath an annual race this time of the year, for this very day twelvemonth, the incomparable Earl of Carnarvon set the man on running at Rundall Hill, and had just such a chase as this through Wells and other towns." The "obstinate fellow" here mentioned appears from Ludlow's memoirs to have been Major Wansey; the house was named Woodhouse and had been purchased of Sir Henry Ludlow by Lord Arundel's brother; from the "Memoirs" it also appears doubtful whether it really was Colonel Popham who fell in the streets of Salisbury.

Mr. Ludlow's troopers were soon scouring the county again, and in revenge took Witham House

belonging to Sir Ralph, and Lord Stourton's House at Stourton, capturing in the former place 100 cattle; and on the 23rd. September wrote to the Parliament that he had also just taken four score sons of Belial, members of the King's Committee in the County. Three months after, ascertaining that a party of the Royalists had sat down at Warminster and were levying heavy contributions on the neighbourhood, he instantly went in pursuit, broke them up and pursued them to Salisbury into the Prebends' Close (where the Bishop and Singing-men did live.) Thence the Royalists retired into two Inns, the Angel at the Close-gate and the George at Sand-gate, but Ludlow fired the houses and compelled them to surrender, taking many prisoners and arms, with 200 horses. The officers who served with him on this occasion were Col Norton, Major Dowett and Major Wansey; it took place on the 5th of December 1644. The next object of attack was the royal horse-quarters at Rushall park near Uphaven, and Major Dowett was commissioned to beat them up, but though he came off from the attempt without loss, he failed in his principal endeavour. Colonel Ludlow himself was engaged just then at Taunton, and on his return towards Salisbury in the same month (Dec 21) he fell in with Sir James Long near Wilsford who was conducting a convoy towards Oxford; they immediately came to blows, but the Royalists were too powerful for him, and though he carried off Sir James's forlorn hope *(or advanced guard)* he lost fourscore of his own men.

The king now thought seriously of rendering Devizes an impregnable post, in order to maintain the influence which he still commanded in the west; and about Christmas, the Lords Hopton and Goring with 3000 troops came through the town, passed on to Bristol, and almost immediately returned to Devizes to superintend the fortification of the place, "the army (it is said) marching with heavy hearts, and cursing the unnatural war which would not allow them to rest even in their winter-quarters." "Hopton (*says the Mercurius Britannicus 18th January,*) is fortifying amaine at the Devizes, but all the *Devices* in the world will never keep him from the reach of a Parliament. This is he that first designed how to ruin the kingdom by levying forces in the west; since which, he hath used all the shifts and *devices* which could be imagined to make himself and his country miserable; and now when the people languish in expectation of peace by a Treaty (*that of Uxbridge*) he, to lengthen the war, is fortifying at the Devizes in Wiltshire, but I fear greater fortifying at the Devizes in Oxford."

This step of Lord Hopton was a source of considerable annoyance to the garrison at Malmsbury, and in order to counteract in some measure its effect in this district, they made choice of Rowden House the seat of Sir Edmund Hungerford, between that town and Devizes; and also of a strong moated house at Pinnel near Calne belonging to a Mr. Blake. Each of these they garrisoned with strong parties of musketeers, but before the forti-

fications at Pinnell House were completed, Goring issued out of Devizes, and just as he was about to fall on, the inmates beat a parley and surrendered at discretion. Now as this occured in Wiltshire, Colonel Ludlow burned to make amends for it by a counter-stroke, and accordingly made another attack on the horse-quarters at Rushall then under the command of Colonel Anderson and Sir Marmaduke Langdale. The assault was conducted in so heedless a manner that Ludlow's troopers were not only beat off with loss, but chased to Salisbury, where they shut themselves up in the old Belfry in the Close. Some infantry from Longford House then joined with their assailants, and Ludlow breaking through, was compelled once more to escape to Southampton with the loss of a great part of his troop.

In February, a few weeks after this event, Lord Hopton, then at Bath, sent his regiment under the command of Lieut. Col. Bovell to form a garrison at Lady Stapylton's house at Laycocke; who on arriving at the mansion, discovered to his surprize that it had just been appropriated to that useful purpose by the opposite party. Whereupon Colonel Bovell went forward to the Devizes, and consulted with Sir Charles Lloyd the governor thereof, and Sir James Long who happened to be there with his regiment of horse, how they might go back and dispossess the rebels. An united force then marched away for Chippenham, and on arriving there, ascertained that the enemy had deserted Lacocke and were ensconced in

Rowden House. Thither therefore the Royalists repaired, but being unprovided with cannon, dispatched a message to Lord Hopton for his train, and though their numbers greatly exceeded those of the beseiged, they delayed the attack for two days. Meanwhile 150 horse from Malmsbury bearing supplies and ammunition, broke through the assailants and joined their friends in the house. At this juncture Sir Bernard Astley arrived from Ciciter with 400 horse and foot to aid Sir Charles, and at the same moment, also the artillery from Bath. So upon a second summons to surrender, the beseiged capitulated, as the place was totally untenable against such a force. Sir Charles Lloyd then dismantled the mansion, and Colonel Bovell occupied Lacocke House.

But not a month elasped before these successes were totally eclipsed by a most disastrous blow, occasioned by the capture of Sir James Long, with his entire troop of 400 dragoons, constituting it was said, the very best regiment then remaining in his Majesty's service. The events which attended it were as follows. The king deeming the west the most secure part of his dominions, determined on dispatching thither his son the young Prince of Wales with the title of General, giving him directions, that if he were hard pressed by the enemy, he should make an immediate escape into a foreign country, and in the execution of this impor tant step, Sir James was summoned to conduct the convoy from Oxford to Bristol, with his whole force. Accordingly the Prince, in company with

the Lord Colepepper, the Marquis of Hertford, Sir Ralph Hopton, the Bishop of Armagh, with many other of the Oxford nobility, came through Devizes in the early part of March; having parted from his father on the fourth of that month, and arriving at Bristol in the course of a week.

Sir James having fulfilled his commission, and being about to return into his own county, intelligence of the whole transaction was conveyed to Sir William Waller, (then lying at Andover with Cromwell at the head of a large force) who upon being informed that Sir James was on his way back, and was coming towards the Devizes with a gallant regiment of horse, instantly put his army in motion with a view if possible to intercept the Sheriff before he reached the town. But Sir James arrived before him, and took up his quarters with Sir Charles Lloyd the Governour for about two days, by which time Sir William made his approach. The various recitals of this affair differ slightly in their details, but by comparing and combining them, the following description of Waller's movements may be regarded as a correct statement, in which also the original language is to a great extent preserved. On the 10th of March, he quartered with his whole force about Amesbury, Normanton, Lake, Durnford and Derrington; and that very day, a strong party was commanded forth, out of which were drawn divers scouts, which were sent towards the Devizes, Shrewton and other parts, to discover the enemy and ascertain what strength they were of, for it

was expected that after passing through Devizes, their object was to quarter about the Lavingtons. Some of these returned in the evening with the intelligence that Colonel Long was in the Devizes, with the *posse comitatus* of the County's forces; (for this Long, is the King's High Sheriff of the County of Wilts, son to Sir Walter Long, who lately deceased, who being in drink, fell from his horse near Chichester, and broke his neck; and his son hath been a very active man against the Parliament ever since he hath begged his wardship, which put him to much travail and pains, for which he almost spurred the horse to death that had broken his father's neck; for he had vowed before he came off his back, to get his wardship.) This intelligence caused Sir William to advance towards Devizes that same night, having also advertizement that the works about the town were very slight. The army commenced their march at midnight, and when about a mile from Amesbury, they halted, and Sir William, drawing them up into a body, chose four out of every troop, to go on the forlorn hope and ride forward in advance of the rest towards the Devizes. The route taken was through Shrewton, Lavington, and Potterne, and on Tuesday morning very early, the forlorn hope gave the enemy an alarum, who were perceived to be quartered in and near the Devizes (*presumed to mean at Old-Park and Southbroom*) and who on discovering the near approach of an enemy, immediately formed into a single body. Sir William Waller, being made acquainted with

this movement, made a stand, as though he intended to act on the defensive rather than make an assault: but suspecting that the Sheriff would leave the town and escape to the Bath, he divided his army into three brigades; one, formed of two united troops commanded by Captain Butler, and Sir Hards, or Hadzer or Hardress Waller, (a kinsman of Sir William) was ordered to wheel about, and fetching a large compass in order that they might not be espied by the enemy from Devizes, to fall in between that town and the Bath; a second brigade under the command of Lieutenant-general Cromwell lay in the neighbourhood of Potterne, while Waller himself took up a station near Lavington. These three companies were all Cavalry. The event turned out as Sir William expected: Sir James Long, not feeling disposed to risk his small body of men against the heavy numbers of his opponents, resolved on making the best of his way out of the town, and Sir Charles Lloyd with the foot regiments, despairing of being able with such diminished forces to keep the whole place, slighted the out-works which defended the town and retired into the castle. The Royal Cavalry then took the route through Melksham and Bradford, but when they were a little past Melksham, going at full speed as they thought in advance of their enemies, they suddenly discover the first mentioned brigade in their van, lying between themselves and Bradford. Having notice of this, Colonel Long would have returned back again, but instead of retracing the same road, he and his

troopers wheeled to the left towards Steeple Ashton and Potterne, in broken parties; and by thus entering the valley where the other brigades were posted and where their movements could be observed, they threw themselves into the very jaws of the enemy, and could make no way of escape, the passes being narrow, and the country so fortified with quickset hedges, that they found themselves as it were, in a pound. At length their whole force, with the exception of 30, were taken, including Sir James Long, their commander, Captain Webbe, and seven other captains, seven cornets, and also the under Sheriff, together with 340 arms and 300 prisoners recovered. The affair was comparatively bloodless, as only four troopers fell on the sheriff's side, and two on the other. Sir William Waller's letter on the subject, written on the 18th to the speaker of the House of Commons is too curious to be omitted.

Sir. These lines are to certify you that upon intelligence that Colonel Long lay with his regiments about the Lavingtons, I marched from Andover on Monday last to Amesbury, and there refreshing my troops till midnight, I advanced from thence in three parties. The first commanded by General Cromwell fell in between those quarters and the Devizes; the second, commanded by Sir Hards Waller fell in at Trowbridge to cut off their retreat towards Bath and those parts: with the third I fell in at Lavington. It was my fortune to find an empty fourme, the enemy being drawn off to Westbury and Steeple-Ashton, but

the rest had better fortune, and in the end I had my share too. Cromwell lighted upon two troops at Potterne: Sir Hards Waller upon the rest of his regiment at Westbury and Steeple-Ashton, who beat the enemy in upon my quarter, when my regiment lighted upon them. Of 400 horse there escaped not thirty; the Colonel with most of the officers, and 300 soldiers taken prisoners; with about 340 horses and a good store of arms. Blessed be the Lord for this success, which I hope will be the earnest of a further mercy. I was enforced to refresh our horse, after this toilsome march and service in the worst of ways and basest weather that ever I saw. I am this day marching towards Holborn (then at Taunton) to join with him so soon as possibly I can. I have no more to add but that I am &c.

West Lavington WILLIAM WALLER.
13 March 1644—5.

The whole of this transaction appears to have taken place in the great valley south-west of Devizes; and judging from the present state of things in that district whenever the weather happens to be particularly "base," we may well credit Waller's assertion that it was "amongst the worst of ways." The peaceful vale had not for centuries been the scene of such racing and chasing; the adventure almost recalls the days of Robin Hood and the Sheriff of Nottingham.

Another account goes on to say. "Colonel Ludlow is now, thanks be to God, sole Sheriff of

the County, his competitor being now taken prisoner, is *in Custodia Marescellorum* with the greatest part of his commanders and officers, and his whole regiment utterly extirpate. Colonel Ludlow's approach hither is now most earnestly desired, to join with us in regard to this county, in which we hope there will now be found but little opposition, though we have been lately heavy-laden with infinite numbers of barbarous villians."

By this victory, it was observed, "a fair way was made for the regaining of the west, and an entrance withall into other victories;" and it seems rather surprizing that Waller and Cromwell did not follow up so signal a success by an immediate attempt on the castle of Devizes. The event shews what was their estimation of the strength of the place, or, perhaps it should rather be said, that owing to the hastiness of their march from Andover, they were totally unprovided with the heavy ordnance and materiel necessary to bombard a citadel. If therefore the Sheriff had not quitted the town, there is reason to think that with the assistance of Sir Charles Lloyd's garrison and Goring's troopers, he might have remained there in perfect security. As it was, the garrison remained unmolested for the present, and Waller continued his route to meet at a general rendezvous with others of the Parliament's forces near Taunton where Goring was ravaging the country in person. He there again divided his troops. Cromwell went towards Bristol, and another company came back towards Devizes, who skirmishing with

Captain Jones the commander of a body of Goring's troopers left there, lost some few men, who were carried into the town. Waller shortly rejoined this advanced company at Calne, and under the impression that Goring himself was in his rear, intended to go on straight through Lavington to Salisbury, but as he passed near to Devizes, he was assailed by Jones's company, who no doubt were too elevated by their partial success the day before. It is evident that Waller was adopting at this moment, the road between Rowde and Potterne (which before the construction of the Kennet and Avon canal, was almost a perfectly straight line.) He was not long in punishing the temerity of these men who had endeavoured to impede his march, but after a spirited action, chased them up into the town, where both parties entered pell mell, and dashing through the market-place, made for the Castle. Here many of Jones's men saved themselves behind the works, leaving 200 horses 500 arms and a considerable booty in the hands of "The Conqueror." In his letter to the Parliament on the subject, dated from Downton 26th March, he adds, that if he had had a few infantry with him on the occasion, he had bid fair to have taken the castle itself.*

* In an absurd book called "The Looking-glass for malignants," published during this spring, occurs an anecdote connected with this event, which it would be a pity to give in any other than the writer's own language. It runs therefore as follows "Captain Jones a Welshman who had a command in the Devizes in Wiltshire, and led out the forces which Sir

On the 25th of April, Goring arrived here in person with the other portion of his army, but imme-

William Waller there lately took and routed: on the night before he went out to encounter Sir William's brigade, drank divers healths of strong waters and wine at an inn in the Devizes to the confusion of the Parliament, Sir William Waller, and the Roundheads, on his bare knees, and did beat three or four in his company who did refuse to pledge them. The next morning some of Sir William Waller's men who were taken prisoners by this Captain Jones his men, were sent to the same inn and lodging, where Jones drank those healths. But soon after, Sir William's forces routing Jones, took 200 of his horse and pursued Jones into the Devizes, who flying on horseback towards the same inn, one of Sir William's soldiers there imprisoned, just as he came before the inn-door, seeing him flying, and the parliament's forces pursuing, having his pistol charged, shot him in the head. Whereupon he fell down from his horse at the same door where he drank those healths more to his own than Sir William's confusion. There he lying dead in the street, the innkeeper informed Sir William what healths he had there drank overnight before, and what a just judgment was now befallen him in that very place. With which, Sir William and divers gentlemen with him were much affected. This is attested by one Captain Brummidge a gentleman of quality, an ear and eye-witness to all these premises, who was present with Sir William in the Devizes, when this judgment befell this health-quaffing cavalier."

The Compiler of this somewhat *unpolished* Looking-glass adduces many other instances of equally manifest judgments which befel the unfortunate Cavaliers; the most notable of which occurred in Salisbury in July 1644, when a party of roaring boys propose to drink the health of the Devil, who forthwith acknowledged the compliment by making his appearance and an unpleasant smell, and then walking off with the gentleman who had suggested the toast. But "the full and true account" of this transaction would occupy more space than it merits.

diately quitted on receiving an express from his Majesty who required his assistance near Oxford. These Gorians it is asserted by all parties, even by Clarendon, were some of the most graceless, wanton and tyrannical marauders throughout the war. They disgusted men with the king's service, and spared neither friend nor foe. The troopers and garrison in Devizes became a perfect hornet's nest in the county, pillaging the market people and pressing men into a service which they loathed. Many of these pressed men are said to have escaped out of Devizes about this time, no doubt when Waller defeated the above troop, and the events of this period may also furnish a plausible date for another circumstance, mentioned in Collins's Baronetage, relative to one George Wastney, third son of Sir Hardolph Wastney of Headon, Bart, who it is said "rendered himself memorable by slaying five persons in Devizes on the behalf of Charles I. in whose service he lost his life," certes a doubtful mode of expression; and one which seems to bear upon the face of it, an allusion to some rather cold blooded affair.

All this while, as may well be supposed, the Clothiers of Wiltshire had great difficulty in safely transporting their goods to London. During the former year, Massey had been able to keep the Country open for them, *(see Vicar's Chronicle,)* but the numerous garrisons* of the King along

* The policy of quartering so many of his troops in garrisons about the west was not adopted by the King till rather late in the war. The *Parliamentary Scout* 20th Dec. 1644, says,

the road now rendered his assistance unavailing. A large party of them in May 1645 obtained a pass from the Governour of Devizes to London, and entered into a bond to pay him more than £400 for excise on the cloth they were to carry to London; but as they approached Newbury, Sir John Boys the Governour of Donnington Castle, sallied out on them and demanded the full amount in the King's name, though it was not due till their return, and even then, not to him. But no expostulations could avail the poor Clothiers; they

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in reference to the fortifications going on at Devizes. "We see they intend to reduce the West into the state of the Netherlands, and have a garrison at every five miles, and not to fight so often in the field." The subjection in which this part of the island was kept by the Royalists, is grievously lamented in a book called "Job in the West" being two sermons preached by John Bond, on the occasion of two public fasts for the five associated Western Counties. He thus calls to mind to the inhabitants of this county the sins which had brought so much calamity on their heads. "And as for the other Belgæ, those of Wiltshire so rich in corn, let them search the records of their own hearts and memories, whether that crying and cursing sin of corn-hoarding hath not been found amongst them; seeing the great commodity of their county did especially tempt them thereunto; and where they find this great act of oppression, let them lay to heart that terrible proverb of the wise man, 'He (that is, every one) that withholdeth corn, (that is, to raise the market,) the people shall curse him,' and that curse must needs fall heavily which cometh from a multitude. And so much for a hint to them." Farther on, the Reverend Gentleman exclaims. "Would you know the longitude of this map of miseries—Truly I must answer that the calami-

were forced to raise the money in Newbury, and after some delay again started on their expedition. They had not gone far, before some troopers from Wallingford castle pounced on them, seized their teams, baggage and all, and carried them into the Castle, where the Commander Blake to crown their mishaps, not only appropriated their goods to himself, but suffered his troopers to search their pockets; after which they were allowed to proceed. By this adventure, the Governour of Devizes lost his share of the plunder, but not long after, he succeeded in capturing a number of packs of cloth from some western carriers not far from Devizes. With this booty his men were making for the Castle, when the Country people (who had lately been exasperated by the wanton killing of one of their numbers, at a marauding excursion of the Garrison to Collingbourne) fell on them, but could not prevent the Carriers from being

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ties of the Kingdom and the calamities of the West do bear the same date; even from August 1642 hath the fire of war been blown up and down in these counties, and ever since July 1643, when the West received her death's wound at the Devizes, hath the enemy been master of the field in that little kingdom. Only I confess, some blood did run to the heart in Exon after that blow, and it was cherished to the utmost by that poor beleaguered city." "And ever since that last blow, the state of the West hath been as follows" Then we have a recapitulation of events, the result of which is stated thus, that in five counties, only seven towns were not in the King's interest. John Bond had been lecturer at Exon, but was now minister of the Savoy in London. Job in the West was published near the close of 1644.

taken into the Town, whence they were compelled to redeem themselves and their goods by a sum of money.

To narrate in full all the achievements of this Garrison would occupy many pages and only fatigue the reader; they must therefore be simply touched upon. In May, while a party was beating up for subscriptions about Salisbury, they were encountered by the Club-men,* and several of them were hackt and slain. They bullied the Mayor of Marlborough for non-payment of his arrearages, and threatened to fire his town. They pulled down Justice Drew's house in Devizes Green, and one account adds "they have pluckt down the Tower of Devizes, a stately place, and are now pulling down the Church" (May 1645,) but what this refers to, it is difficult to imagine. During the same month, a small garrison who kept Bromham House, deeming it more prudent to confine themselves to Devizes, set fire to that mansion and thus rendered it unserviceable to either party. The erection of this house had cost (says the narrator of the circumstance) £15,000. The ironwork about the house, being near as big as Whitehall, cost £5000. King James lay in it, being a palace fit to entertain a king."

In the July following, a detachment from the

* The Club-men were a body who rose in Wilts, Dorset and Somerset: they professed to be neutrals, and prompted by no other motives than simply to put an end to the war; which pretext obtained for them the encouragement of many names of distinction and even of some few of the Clergy.

Garrison ventured to molest some of the enemy's troops lying at Charlton, but Captain Sadler issued out of Malmsbury with three regiments, and gave them chase all the way to Rowde-close, where concluding that the proximity of Devizes would save them from further pursuit, the weary fugitives got into a meadow, unbridled their horses, and stretched themselves on the grass. They had not enjoyed the sweets of repose many minutes, before Sadler was amongst them, and the troopers leaving most of their horses, were compelled to escape through bye ways and over the fields into the Devizes.

On the 12th of August, Sir James Long, with the assistance of part of the Devizes Garrison and Colonel Bovell's men from Lacocke, stormed and took Chippenham. The royalist account which is very explicit, describes it as a very spirited action, though they acknowledge to have brought off only 80 prisoners; they add that "the inhabitants lost not a farthing, though the town was taken by assault."

During this summer's campaign, the king's affairs were fast going to ruin in all quarters, and furnished but very few occasions of bonfiring and rejoicing to Oxford and the other garrisons in the West who still maintained their allegiance. The Parochial accompts for this year show that when the Prince of Wales was coming to Devizes, as stated above, the worthy Mayor had not failed to put in requisition the usual demonstration, of "ringing bells till steeples almost tottered down" to

celebrate his approach; but this may be regarded as almost the last occasion on which their noisy aid was invoked to give eclat to the Royal cause. The name of Cromwell was already becoming a tower of strength, and town after town were throwing open their gates to the very echo of his dreaded approach.

After the battle of Naseby, Fairfax and Cromwell, who unitedly commanded the parliament's army in the West, rapidly reduced Taunton, Sherbourne, Bath and Bristol. The latter place was disgracefully surrendered by Prince Rupert almost without striking a blow; after which the two generals divided their forces, Fairfax marched westward to complete the subjection of Cornwall and Devonshire, while Cromwell laid siege to Farley and Berkeley castles, the former of which surrendered on the 15th September. On the 17th he was at Trowbridge, and on the day following marched to Devizes, leaving orders for the artillery to follow him. One of the Newspapers favouring the Parliament's cause, asserts that this sudden movement of the General was in order to save the town from being burnt by the garrison of the castle, who had already consumed four houses. There is little doubt from this as well as other expressions, that the means resorted to for the purpose of furnishing and fortifying the castle were of an oppressive and arbitrary character.

The following extract is from a similar source, and is part of a letter from Fairfax's army. "Colonel Rainsborough the Terrible is gone to assist at

Berkeley Castle; he will make the dust fly before long and their brains too, if they take not heed. The foot regiments of Colonels Montague, Pickering, and Waller are at The Devizes. Colonel Roches and others are commanded towards Newbury to assist the convoy from Reading; and though the news at The Devizes was, that the king was at Worcester with his horse, yet lest it should prove otherwise, the horse that went with the lieutenant-general to The Devizes were commanded to Caning Hill to march towards Newbury to strengthen the convoy. They of the town of Devizes said to our men, that the garrison prayed heartily to send them either an army of devils or 30,000 Turks, or they should never overcome these terrible Fairfaxians."

The Garrison at this time was composed of 400 Welshmen (other accounts say 300) commanded by Sir Charles Lloyd; the works were described as very strong, mounting five large and several smaller pieces of artillery with good store of ammunition, &c. "A good engineer," says one writer "had added to the strength of the natural situation, having cut out of the main earth, several works commanding one another, and so strong that no cannon could pierce them. Besides that being palisaded and stoccadoed in most places, it was a matter of extreme difficulty to storm it."

A party of the king's horse, stationed near the town, under the command of major Dowett, (an officer whom during the former affair at Devizes, we found serving the Parliament,) had quitted

their post at Cromwell's approach, and fled to Salisbury, in consequence of which Sir Charles Lloyd dispatched a messenger to secretary Nicholls imploring succours, but the letter was intercepted by the general, who forthwith then proceeded to bombard the castle. Batteries having been constructed on the evening of the 20th in the Market-place, within pistol-shot of the castle, the governor was next day (being Sunday) summoned to surrender the place for the use of the king and parliament. To this he replied that the king his master having put him in trust, he desired ten days truce to send to him, and that in the mean time he would do his best to keep it for his majesty. Cromwell in return counselled him not to let slip so good an opportunity as that which now presented itself, for serving his king and country, assuring him that none were so fitting to keep strong-holds, forts, castles and the like for the use of the king as himself, the general; though at the same time he politely intimated to him, that if he were resolved to hold out, he was at liberty to send forth his lady, and such other gentlewomen as might be in the Castle, promising that they should be used with all due civility. Sir Charles Lloyd's final reply of "Win it and wear it" put an end to this facetious parley, and the batteries began to play from the market-place.

The Mercurius Civicus, detailing these events gives the following narrrative. On receiving the summons, they returned answer that they would, not deliver up the place while one man was alive

and in defiance sent out a dog which had formerly belonged to Prince Rupert, with the following verses attached to his neck.

"To the Tune of *I tell thee Jack*"

Believe it friend we care not for ye,
And therefore Roundhead I am sorry
To see you play the fool;
Go get you packing home, 'tis fit,
And there be pleas'd to learn more wit;
The Briton heels to cool.

'Tis not your three score waggons, no,
Nor all those things that make a show,
As though your men were pedlars:
Can us affright, nor Deveræux *
Nor Carrill nor the men in blue,
That yerreclipsed our sadlers.

Nor yet your cannon six in number,
That fain would make us think of thunder,
Can startle our commanders,
Our officers have served the States
Of Holland, and have broke men's pates,
As I have heard in Flanders.

You tell us that we robbed the Town,
You lie my friend, it was our own,
We bought the beef and bacon:
The townsmen they will lie a little,
What, do you think we'd rob the Spittal,†
Oh man you are mistaken.

What, will her storm us? then fall on,
But have a care, my name is Shon;
Her's ready to receive you;

* Alluding to the French engineers in Cromwell's army.

† That is "Hospital." This is said in derision of the townspeople as though they were too contemptible to be pillaged, and by Welsh theives too—a pretty story.

The Welshmen they do swear apace
They'll die before they yield this place,
And make your hopęs deceive you.

Her loving friend if her mend her manners,
Shon ap Morgan—Gent.

For Mr. Hope, to communicate
this to her friend in the Leaguer."

On the inditing of these verses we have the following comment, "It is much that in this height of danger, they had so much leisure as to poetize."

The circumstance of a dog of Prince Rupert's being chosen as the bearer of this classic missive, was, we may suppose, intended by the beseiged to signify their contempt of that general's conduct in the surrender of Bristol. Whether or not the exalted tone assumed by themselves on the present occasion, was altogether borne out by the fortitude they subsequently exhibited, is left to the reader's own decision. But we must not forget the sequel to the above tale. As the order of the day seemed to be to infuse as much humour into the affair as possible, the following reply was promptly transmitted.

Poor Cavaliers it was my chance of late,
To view some brawling lines, come from a blockish pate,
Wherein you call us fools—but stay,
You'll prove the fools before we go away.

To carry out this threat therefore, the cannons and mortars continued playing all that day and the night following. A grenadoe discharged in the morning, appeared to do great execution; "it

fell in the castle which was open above, and owing to this circumstance, killed several men, and had like to have blown up the magazine." Allusion is here evidently made to the keep, and the mention of this incident, it may be observed, *en passant* is evidence that though dismantled, the principal part of the castle was in a state of comparative preservation at this time.

The garrison, who now began to feel the difficulties of their situation, at eight o'clock sounded a parley, and the governor sent out Captains Challenor and Garroway to propose honourable terms of capitulation. In three hours Cromwell sent them back with two of his own officers bearing the following propositions.

1st. That the Town and Castle of The Devizes with all the ordnance, arms, and ammunition therein should be surrendered for the use of the Parliament.

2ndly. That all officers and gentlemen should march to Oxford or any garrison of the king's within thirty miles, with both their horses and arms.

3rdly. That all private soldiers should march away without arms, only with sticks in their hands, and that they might go to Worcester, but not to any garrison to which their commanders repaired.

4thly. That all private gentlemen in the castle should have liberty to go to their own homes or beyond the sea.

5thly. That all such persons as were in the

Town of Devizes, who having once served the parliament, had gone over to the king, should be left as prisoners to the mercy of the lieutenant-general; and that all such others as would consent to take up arms for the parliament should be entertained.

These propositions were backed by an intimation that if they were not speedily agreed to, the General would carry the place by storm, and give no quarter. Sir Charles Lloyd therefore consented to deliver it up, and accordingly the next morning he marched out, three wains and a safe convoy having been allowed him to carry away his lady and his goods. In the castle were found beside the artillery mentioned above, 400 stand of arms, and provisions that would have lasted a whole year; five hundred barrels of beef, and five hundred flitches of bacon, with much wheat and malt. This was the beef and bacon, touching which they had sung to the tune of "I tell thee Jack." The worthy townsmen of whom it had been "*bought*" had perhaps as little reason as themselves to be merry on the score.

Hitherto we have principally consulted the parliamentary prints in reference to this transaction, as they contain the only copious accounts of it; but the reader is now presented with a royalist's version of the affair, in the form of an extract from the manuscript memoirs of John Gwyn, an officer of the Royal Guards, during the reigns of Charles I. and II. "I was in the garrison of The Devizes, (says he,) when Fairfax and Cromwell

were at a stand whether or not they had better meddle with us ; until they came to understand that the horse in quarters thereabout, were not come into it. Then they laid close seige. One or two of our soldiers had run over the works and told the enemy how things stood with us, or they had not beseiged us. The enemy with incessant peals of muskets, great guns, and mortar pieces played upon us, that it passed us all day and all night at the line without the least reserve. As we could do no better, though we might have done better with our expected number, we resigned." The memoirs from which the above is taken, were written by the desire of the Duke of Monmouth, but were never published.

Devizes Castle was taken on 23rd Sept. 1645. The number of men who fell in the defence is not stated ; Cromwell lost but five. He remained at Devizes for three days, and then marched with his whole army to Dunnington Castle near Newbury. What became of the castle he left behind him, may be gathered from the following entry or two, appearing in the 4th vol. of the "Commons' Journals."

23 Sep. 1645. A letter from one of the scoutmasters servants of 22 Sep. relating to the taking of The Devizes upon surrender, was this day read. It is ordered that the Committee of the West do pay unto the messenger that brought the good news of taking The Devizes, £10.

25 Sep. A letter from Lieutenant-general Cromwell of 22 Sep. relating to the taking of The

Devizes and the proceedings against Berkeley Castle were this day read. Ordered—That Curtys the messenger shall have £10 bestowed upon him by the Committee of the army. Ordered—That it be referred to the Committee of the West to consider what is fit to be done with the Castle and Garrison at Devizes, and to report their opinion with speed to the house.

4 May, 1646. Upon Sir John Evelyn's report from the Committee of the West. It is resolved—That the Castle-hill and works of The Devizes, and the works about Longford House in the county of Wilts be forthwith slighted. Ordered also—That one troop of horse only shall remain in the county. Mr. Ludlow to be captain.

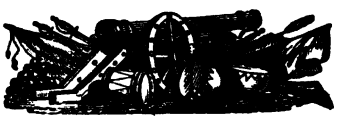
28 May. Ordered—That all such materials as are now remaining in the Castle of The Devizes, and which were part of, or belonging to the Church of St. John, or to the parsonage house belonging to the said church, shall be forthwith restored to the churchwardens there, for the re-edifying of the said church and parsonage house. Ordered also—That in like manner, all such timber and other materials as have been taken away from any of the inhabitants of the said Town, and are now remaining in the said Castle, shall be likewise forthwith delivered to the particular owners thereof."

Here therefore the history of the castle necessarily arrives at a conclusion. The work of destruction was forthwith commenced, though it seems not to have been fully completed even at

the time that Stukeley wrote about it, many years afterwards. He observes in his Itinerary in 1723. "The castle is ignobly mangled and every day destroyed by persons who care not to leave a stone standing, though for a wall to their gardens."

In 1646, the year in which part of the above resolutions were passed in the House of Commons, the Brigade of Major-General Massey, then lying at Devizes, was disbanded by Fairfax, and the town was at last relieved from the immediate presence of war.

The Castle lands, during the early part of the last century, were in the hands of Wadham Wyndham Esq. who in 1735 conveyed them in settlement on the marriage of his son Henry. At the death of the latter in 1786, they passed (inter alia) into the hands of his son Henry Penruddocke Wyndham, who conveyed them in 1793 to William Salmon, Esq. from whom in 1809 they descended to his son William Wroughton Salmon, Esq. Mr. Salmon conveyed them in 1813 to Thomas Tylee, Esq. who again conveyed them to Valentine Leach, Esq. the present proprietor, in 1838.



Allusion having been made above, to the numerous heavy contributions with which the resources of the Borough were burdened, in aid of the king's service during the civil wars; the following extracts taken from the Chamberlain's Books of that period, are intended to illustrate the remark. But as there are also several entries in the same journal, possessing considerable interest in themselves, as historical documents of another kind; we will begin with a few, belonging to the close of Elizabeth's reign.

		£.	s.	d.
1598	Paid for constructing the Bench in the Castle	1	7	2
1599	Item for mending the Castle Bench	0	1	7
	(These entries allude to the Quarter Sessions. Others which will follow, shew the accommodations on those occasions to have been of a very second-rate order; the erection was a temporary one, and not always sufficient to screen the parties from the effects of the weather.)			
1607	The Profits of the Shambles for one year appear to have been	30	0	0
1608	At a taxation of the second payment of the second subsidy of three entire subsidies granted to James I. are the names of twenty three of the principal inhabitants out of whom is extracted the sum of	77	0	0
1609	Paid for a dinner, and gratuity bestowed on the Bishop of Waterford when he preached here	5	0	0
	Item for an aid towards making of the prince a knight—for all the lands belonging to the			

		£.	s.	d.
	Chamber, Churches, Alms Houses, and Ways within the Borough	1	0	0
	Item to William Hillier for setting up the place for the Quarter Sessions of the County and for levelling of the ground	0	17	4
1610	Paid the King's Majesty's rent for Cardmaker's Chauntry—for one year	6	3	8
	This yearly entry continues till the 18th century or later.			
	Paid Mr. Barrett for the Lord Chief Baron's charges for a supper and breakfast when he lay in the Town	4	2	10
1611	Paid for building the tent and benches for the holding of the Sessions	0	13	4
1612	Given to the Queen's Majesties' Players by order of the Mayor	0	10	0
	Item for a messenger to Andrews the carpenter, and for his pains in coming over and drawing the Plot	0	4	0
	Item to Will. Hillier for making a place in the Castle for the Justice and in the market-place, and for cleaning the Weaver's Hall	0	2	6
1613	Paid to the Lady Elizabeth's Players	1	0	0
	Item to Mr. Barrett for a supper which the Mayor and his brethren had at the King's coming	1	2	0
	Item for Wine and Sugar had to drink with the King's Usher	0	5	0
	Item for the Lady Elizabeth's aid	1	0	0
	Item to Mr. Northey for fees which he gave to His Majesty's officers	20	15	4
1614	Paid thro' Mr. Kent for his Majesty's benevolence towards this Borough	22	0	0
	Item for lime towards building the Sessions House	0	16	0

		£.	s.	d.
1615	Paid Mr. Kent for the Painting of the Constitution book for the Town	6	0	0
	Item to Mr. John Erwood for carrying the Cross	0	14	0
	Received one year's rents of the Streets and Town ditches	1	6	6
	Paid for a Proclamation for prohibiting the eating of Flesh during Lent	0	3	4
1618	Paid to Will. Barrett for the carriage of eighteen loads of stones and rubble out of the Castle	0	7	0
	Item to the Sheriff of the County for an amercement set on the town at the time of the Assizes for the escape of a felon	6	8	4
	Item to William Dicke for the carriage of his Majesty's wine to Charlton	0	2	0
1619	Paid for wine and sugar when my Lord Bishop went into the Castle, and for a wether	0	18	6
1620	Paid for a Pottle of Muscadine given to Sir Edw. Bayntun	0	2	4
1626	Paid for five Muskets furnished—together with head pieces, bandeliers, pike, and moulds; and for five halberds and four corslets with pikes	21	2	0
	Item for the carrying down thereof	0	18	10
	Item to Henry Barrett for 200 boards to board the end of the Guildhall where the armour is hanged	17	8	0
	Item for three-score pounds of powder in barrels and match and the carrying of them down	3	16	8
	Item to Henry the Joiner for boarding and making the frame for the armour	10	0	0
	Item to the Constables for powder and match for training of the Souldiers.....	1	3	4

		£.	s.	d.
1629	Paid to the Carpenter for five turned pillars for the market house	1	5	0
1630	Paid to Christopher Jones for half a year's dressing of the Town-armour	0	5	0
	Item to Thomas Stephens for drumming on Gunpowder-treason day	0	1	0
	Item to Rob Brunsden for powder and match same day	0	14	3
1631	Paid to the Churchwarden of St. John for the relief of some inhabitants of Poole who had been taken prisoners at Angier	0	9	0
	Item for two Sugar loaves, a gratuity to my Lord Bishop	1	6	6
	Item to Henry Barrett for one quart of sack and one of claret given to a doctor that preached	0	1	8
	Item to the King's players	0	10	0
1632	Paid for a tilt in the time of the sessions to keep away the wind from the Justices.....	0	0	6
1636	Paid to the Sheriffs' Messenger who brought the King's writ for ship-money	0	5	0
	Item for filling up a hole at the Corn-hill ..	0	0	4
1639	Paid towards the reparation of the Church of St. Paul in London ..... (The same contribution was paid next year also)	10	0	0
	Item for powder for the training of the souldiers appointed for the expedition to York ..	0	4	0
	Item for a proclamation concerning the healing of the King's evil	0	1	0
1640	Paid for powder to exercise the souldiers prest into the king's service for the northern expedition.....	0	2	0
	Item to the Constable for Coat and Conduct money for the said souldiers.....	20	0	0

		£.	s.	d.
	Item to one Biggs of Marlbro' being the fifth part of money by him recovered against the hundred of Potterne and Cannings for a robbery done upon him.....	4	3	2
1641	To Mr. Nicholas as a gratuity for his pains and expenses in parliament	20	0	0
	Item to Will. Dicke the elder, being money disbursed by him, when Constable, for the sending of soldiers into the north, and for belts and bandeliers for the Town's use	34	17	7
1642	Paid to Mr. Bennett the remainder of an unpaid rate for Calne in the time of the plague.	0	16	0
	Item to a messenger which brought a proclamation about the king's assenting to the parliament	0	5	0
	Item for mending of the Town-walls	0	3	9
	Item for the making of a new Gallows.....	0	5	0
	Item for bringing powder from Chippenham and powder and match from Bradford.....	1	1	6
	Item for chaining and blocking up the Town's-ends at several times.....	1	8	4
	Item Expenses of Walter Bead's going to Bristol about bringing of ordnance thence...	0	5	0
	Item to Michael and Whitinghame for beating a drum for volunteers.....	0	0	6
	Item for making a place for a magazine for the powder and for carrying of it up into the church	1	19	4
	Item for mounting of the pieces of ordnance.	0	1	0
	Item for making a place for the great ordnance	1	8	10
	Item for the repairing of the Brittox	18	9	8
	Item in part purchase money for the ordnance and carriage thereof.....	24	0	0
1643	Paid for 24 swords and belts.....	5	6	8
	Item to Powell for mending the four lesser			

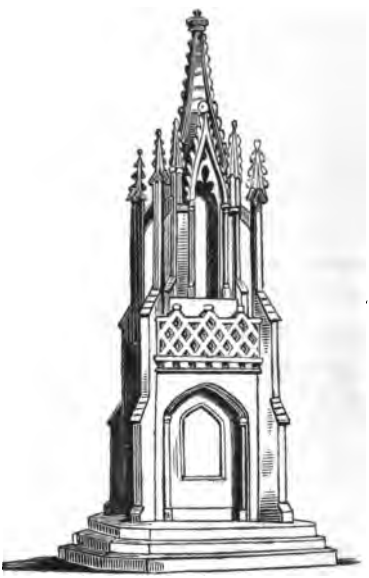
		£.	s.	d.
	wheels of the ordnance.....	0	11	0
	Item for hay and oats for Colonel Lunsford's troopers when they came to raise £400....	0	6	0
	Item for three scouts sent by Sir Edw. Hungerford	0	14	2
	Item to the Lord Crawford and his officers when they were here.....126	0	0	
	Item to the Prince's Trumpeters	1	10	0
	Item to Dismore for making the iron for the Barricades.....	0	13	4
	Item towards making up of the composition money for the Borough, paid to the king's commissioners	50	0	0
1644	Paid into Colonel Hambleton	30	0	0
	Item to Mr. Jackman, for dressing wounded soldiers left by Lord Hopton.....	5	0	0
	Item for and towards a rate for the Governor of Malmsbury	20	0	0
	Item for oats for Captain Gifford's company when they came for money given by Mr. Mayor's orders	0	6	0
	Item to Mr. Will. Powell for his horse sent to Sir Will. Waller	4	0	0
	Item for Summer's horse £2, for Thomas Clack's £3 15*s.* for Samuel Kent's £4, and John Flewellyn's £2 10*s.*.....	12	5	0
	Item towards the relief of poor people during the sickness, and for the pest houses.....	32	0	0
1645	Expenses of 3 soldiers who came for 3 horses	1	0	0
	Paid to Brunsden for powder, bullets, and match for the centinels when the watch was in the Town	1	1	0
	Item for wood and candles for centinels	36	6	0
	Item for powder and bullet had in Sir Edw. Bayntun's time	6	18	0

		£.	s.	d.
	Item for Workmen and provisions for prisoners	57	18	0
	(Other payments then occur for horses sent to Sir William Waller, as above.)			
	Item for carpets—pewter—and certain linen presented to the Governor of the Town	11	10	0
	Paid to John Wordall for his expences when 600 Soldiers were in the Town	2	2	7
	Item out of the Market house and Shambles towards quartering a troop of horse who remained 15 days	1	6	7
	Item for wine given by Mr. Mayor, and for beer given to the townsmen at a rendezvous on the Green	0	5	0
	Item for quartering Colonel Temple's soldiers	1	16	0
1649	Paid to William Bancroft at two several times for going to Marlborough about the Castle (of Devizes) and for demolishing thereof	1	0	0
	Item for the purchase money of the fee-farm of the Borough	280	0	0
1654	Paid to John Wintworth and Rob. Ings for maintenance of Dutch prisoners	157	10	3

About this time the entries are very numerous of relief given to disabled seamen whom our sanguinary contests with the Dutch had scattered over the land. Alms are frequently given also to another class of his majesty's subjects, not quite extinct in our own day, who are described as "travellers from Ireland."

1654	Paid to John Wilks for mending the windows broken by the Dutch prisoners	0	5	8
	Item Expenses in getting the money in London for the Dutch prisoners	1	0	0
1656	Paid to Thomas Whitaker for ringing of the			

		£.	s.	d.
	9 o'clock bell for 3 months	0	3	6
1659	Item for cakes and wine when Richard the Lord Protector was proclaimed chief Magistrate			
1660	Item for fire-lock and stock for the Town-musket and for cleansing and dressing the Town halbert and sword	2	9	0
1661	Item to Richard Bennett for the loan of pikes and halberts at the king's coronation day ..	0	3	0
1669	Item for 2 year's coming of the flying post from Marlborough to this town with letters .	2	0	0
1675	To three distressed parsons	0	1	4
	To a poor scholar	0	0	8
1688	For 100 faggots at the proclamation and coronation of the King and Queen (William and Mary) and for the music	1	17	6



CHAPTER VI.

MUNICIPAL HISTORY OF THE TOWN—GRANT OF CHARTERS—CONSTITUTION OF BOROUGH—ACT FOR IMPROVEMENT—CANAL—WHARF—ALTERED CONSTITUTION—COURTS OF RECORD AND QUARTER SESSIONS—OLD PARK—DEFINITION OF BOUNDARY LINES—RETURNS MADE IN 1836 OF HOUSES, INHABITANTS, VOTERS, &c.

HAVING discussed at the commencement of this work, the subject of the grounds on which the franchise of the Borough was probably based in the first instance; it remains to trace its history as a corporate body, from the earliest period of which we possess information of a more positive kind. The oldest Charter in existence is that of the Empress Matilda, granted no doubt at the time, when, as we have already seen, the Castle was in the hands of her partizans, during her struggle with Stephen for the crown of England. The brevity of this instrument is such, that it is here given unmutilated. It is without date.

" Matilda Imperatrix Regis Henrici filia et Anglorum domina, justiciariis, vicecomitibus et

omnibus ministris suis totius Angliæ et portuum maris. Salutem &c. Concedo burgensibus meis de Divisis, quod pro servitio suo, quieti sint de Theolonio, Passagio, et Lestagio, et omne aliâ consuetudine per totam terram meam et per portus maris. Et volo et præcipio quod ipsi et homines sui et omnia mercata sua, meam firmam pacem habeant; et super hoc, nemo eos usquam injuste disturbet. Super foris factur.—Teste Episcopo Ely; apud Reading.

These liberties were successively confirmed by Henry II. John, and Henry III. Edward III. besides such confirmation, granted a guild-merchant, and that no burgess should have his goods distrained for a debt of which he was not either bail, or principal debtor; together with all such liberties as were enrolled in the Charter of Marlborough, with a general reservation of the liberties of the City of London. The burgesses had in the early part of this reign presented a petition to the crown complaining of great injustice practised towards them, and praying that their privileges might be put upon the same footing as they were in the time of the good King Edward I. Amongst other things they allude to the return of writs having been taken from them, an evil which the charter of the succeeding monarch Richard II. was intended to remove, by granting to the Mayor and Bailiffs the return of writs in all matters touching the burgesses of the town. Another of its provisions was that they should henceforth have a Coroner, one of themselves, and a third bound all

defensible men between the ages of 16 and 60, to the defence, if need were, of the Castle of Devizes.

Henry IV. V. and VI. Edward IV. Henry VIII. Edw. VI. and Elizabeth confirmed the Borough charters without making any material alterations. The Coroner continued to be elected in pursuance of that of Richard II. until the grant of a new one by James I. after which period the office appears to have been discontinued.

During the reign of Elizabeth and up to the time of obtaining the last mentioned charter, the corporation consisted of three bodies, called the Mayors, the Twelve, and the inferior burgesses, but the body called the Twelve did not uniformly consist of that number only. In 1581 there are entered in the council book, 10 mayors at the head of whom is one called by preeminence "The Mayor" of whose name the proceedings are entitled, 14 of the Twelve, and 28 inferior burgesses. At the time of obtaining James's charter, the entry is of the Mayor by himself, 11 Magni, including one designated as Mayor elect, 21 of the Twelve or Common-Council, and 32 inferior Burgesses. A memorandum written in 1628, by John Kent the first town-clerk under James's Charter, states that at the accession of James, there were, one Mayor—9 chief Burgesses and Councillors (including the Mayor elect) 23 Burgesses called "the Twelve" or Common Council and 30 Inferior Burgesses.

The Charter of Charles I. confirms that of his

father, where not specifically altered. On the 10th Nov. 1684, in consequence of Charles II. having issued writs of *quo warranto* against the corporations of several Boroughs, for the arbitrary purpose of calling in their charters; the Common-Council of Devizes, following the example of many others, determined on making a *voluntary* surrender of theirs, in order to escape a *compulsory* one; and in the following March, a new Charter of 1st James II. was accepted, under which the Corporation continued to act for rather more than three years. There is an entry in their books dated 12th Oct. 1688, containing a list of officers appointed according to its provisions; but on the 20th of the same month, they availed themselves of the royal proclamation for restoring Charters; and again resorting to those of James I. and Charles I. continued to be regulated by them, till the late municipal act came into operation on the 26th December, 1835, the day to which the elections ordered (by 5th and 6th Will. 4, c. 76) to be held on the 1st of November in every year, were postponed by an order of the privy council for that year.

All former Charters to Boroughs, inconsistent with the provisions of this act, are now therefore rendered obsolete; but as matter of history simply, a short outline of that constitution under whose guidance Devizes remained for more than 200 years, will not be deemed altogether uninteresting.

The body corporate then, consisted of a Mayor, a Recorder, 36 Capital-Burgesses (including the

Mayor and Recorder) and an indefinite number of Free-Burgesses. 12 of the Capital-Burgesses (including the same) were distinguished by the name of Capital-Burgesses-Councillors, the remaining 24 being called Capital-Burgesses of the Common-Council. The Mayor, Recorder, and Capital-Burgesses when assembled together, constituted the Common-Council. The style of the Corporation was "the Mayor and Burgesses of the Borough of Devizes."

The Mayor was chosen by a majority of the Common-Council out of the Capital-Burgesses-Councillors. He was the head of the Corporation, the president at all their meetings and the returning officer of the Borough. He was *ex officio* one of the Justices, and had to preside as Magistrate at the Borough Quarter Sessions, assisted by the Recorder and one of the Councillors; and lastly he was Judge at the Court of Record, together with the Recorder (or his deputy) and some others of the Councillors. There was no specified salary attached to this office, but a custom prevailed, of allowing him a certain sum annually to provide "an entertainment" on the first day of his mayoralty, for the members of the Corporation, to which he also invited his friends and the magistrates and professional gentlemen of the town and neighbourhood. The amount of this allowance was originally £30. It was afterwards increased and remained for a long period antecedent to 1798 at £40 per annum, when it was ordered to be discontinued during the war. This order was renewed

in 1803, but before the arrival of peace, and when in 1809 the Corporation began their occupation of the new Town Hall, it was finally rescinded, after having been in 1808 both rescinded and renewed. The allowance continued the same, but the obstacle which this custom imposed, owing to the allowance being greatly insufficient for its purpose, added to the burdensome nature of the mayor's duties, rendered the post so obnoxious in the eyes of many, that previous to the first entertainment having been given in 1809, no less than 5 members of the Common-Council, rather than be made Capital-Burgesses-Councillors, and thus become eligible to the mayoralty, preferred paying the fine of £30 each, imposed by the Bye-laws of 1741 for refusal to accept the said post of Councillor when duly elected thereto. In 1810 two others paid the same fine, and three in 1812.

The Recorder's office was instituted by Charles's Charter, in the place of that of Town-Clerk by James's. His duties however were the same with a slight variation in their extent. Although one of the Council, his attendance was not generally required at their meetings except on the making or rescinding of bye-laws. He was elected by the Common-Council for life, or during their pleasure, with a salary of £10. but latterly, this had not been received for many years. Mr. Addington, when made Lord Sidmouth, had held the post 44 years, and even while speaker of the House of Commons. Mr. Estcourt on permanently leaving

his residence in the neighbourhood, preferred resigning the office. In 1707 The Recorder was unseated, but on what grounds, does not appear; he was restored the following year.

The 12 Capital-Burgesses-Councillors were elected by a majority of the Common-Council out of the Burgesses thereof.

The Capital-Burgesses of the Common-Council whose duties were confined to attending the meetings, and bearing part in elections and other votes, were chosen by a majority of the Common-Council from the Free Burgesses. The number of these latter, who were also elected by the Council, was indefinite. In 1688 there were 34, in 1740 only 4.

The Borough-Justices were three. The Mayor and Recorder *ex officio*, and one from among the Councillors who was denominated "the Justice." Their duty was to hold a petty sessions once a fortnight, and the extent of their jurisdiction within the Borough was such as to render nugatory that of the County Magistrates, except in the licensing of public houses and a few other cases.

The Steward and Clerk of the Courts was one of the Common-Council. He attended its meetings and registered the proceedings. At the General Quarter Sessions, he acted as Clerk of the Peace, attended the Magistrates at the Petty Sessions, and was Registrar in the Court of Record. The salary was nominally £2 13*s*. 4*d*. besides the fees of the Courts of Record and of

Quarter Sessions, and those paid on the admission of Free-Burgesses; but his principal emolument arose from his being the Solicitor of the Corporation. In 1765 an instance occurred of this office and that of Mayor being combined in the same individual.

The Two Chamberlains were chosen annually, one from among the Councillors, and one from the Common-Council. They were the treasurers of the Corporation, received the rents and other revenues, and made all disbursements. Their responsibility was of course joint, but it was long arranged between them, that virtually, one only should fulfil its duties. Salary £2 each.

The Wardens of the Alms-houses were the treasurers of that part of the charitable property of which the Corporation were the Trustees. These were chosen from the Common Council, two for each parish, and were entitled to no salary. A Chamberlain has occasionally been a Warden. The Corporation were also Trustees for the lands belonging to the Parish Church of St. John. Their other charitable trusts were of monies which they had thrown into their own funds, and of which they paid the interest. Many of the debts thus created, are of very remote date, the most recent being no later than 1786.

Two Constables— two Sergeants at Mace, two Bailiffs, and four Sub-Bailiffs, complete the list of officers acting under the old regime. The limits of the jurisdiction of the Corporation were co-extensive with the two parishes of St. John, and St.

Mary, including a rural district lying in the former, called the Old Park. The date of the annexation of this to the Borough, it is now difficult to determine, but this point we shall have occasion to discuss hereafter. The observations which it will be necessary to make on the property and income of the Corporation are also reserved, until, having taken some short notice, first, of the improvements effected in the Town by a local Act, and then of its present altered constitution as a Borough; we may examine in a connected form, the financial arrangements of that body, in conjunction with the system pursued by the present Council.

IMPROVEMENTS OF THE BOROUGH.—It is not intended here to detail the proof that all and every department of the public expenditure connected with the Borough was formerly in the hands of the Corporation; or to revive the official dignity that once attached to the post of "Scavenger." In pursuance of the present subject, it will merely be necessary to remark that the appointment of officers, including that of Surveyor existed down to a period as late as that, at which the first trace of the nomination of parochial Surveyors is discoverable. These last have long ceased to act, but it appears to have been necessary in order to abolish the office of "Surveyor for the Borough," to insert a special clause to that effect, in the first act for improving the Town,

viz. that of 21st George III., as well as other clauses, to make way for the new powers given to the commissioners. The Scavengers were appointed and paid by the Corporation even after the office of Surveyor had expired, and every part of the accounts exhibits abundant proof that the corporate fund was applied to the repairs of the streets and highways, to such extent at least as was deemed necessary by the worthy Corporators of the olden time, and that the revenue from part of their property was especially devoted to this purpose.

It is nevertheless true, that certain notices, appearing in the minutes of the Common Council relating to the deplorable state of the streets, occur in some cases, in connection with severe resolutions directed against the inhabitants of particular streets, for "contumaciously" refusing to obey the orders of the Corporation to repair them at their own expense. To what extent the streets were repaired by parochial authority is not known, but such authority must have been at all times extremely limited, and never applicable to the wants of a town. When the above act was obtained "for amending, regulating, cleansing, lighting, and keeping in repair the streets, lanes, &c." its preamble no doubt very correctly describes the said streets as "being in general out of repair."

Nothing however was effectually done under this act, and no general or uniform system seems to have been adopted in the administration of the funds which it empowered the Commissioners to

raise. Added to this, its management was too exclusive, and its powers far too limited, to allow of its affording much satisfaction to the inhabitants in general. Notwithstanding its existence therefore, the state of the Town remained up till the year 1825 the most dirty and uninviting, both to residents and strangers, that can well be imagined; not even bearing a comparison with other towns of the same size. Hardly a square yard of flagging was to be seen from one end of it to the other; the occasional occurrence of posts and pavement before some solitary door, rather tending to trip up the public, and render the long intervals of sharp pebbles appear all the more toilsome; while the proximity of the houses in wet weather was so dangerous, that the affrighted foot-passenger had to cast up a hasty balance between the advantages of careering in the middle of the street or of running the gauntlet of a score of water-spouts.

A proposal to apply for a new Act of Parliament, giving powers to Commissioners to raise funds for paving, lighting and improving the streets, &c. was about this time taken up with great warmth, and rendered popular by a very extended list of Commissioners. The Commissioners named were the Mayor and Burgesses and nearly a hundred other individuals, whose qualification was required to consist in the receipt of rents arising from lands &c. within the Borough either freehold or on a lease of which 30 years were unexpired, of the yearly value of £20; or in the

occupation for six months of houses or land within the Borough of the value of £20—such value to be determined by the poor-rate. The application of the act extended only to the limits of the Old Borough.

The expences of procuring the act were paid by the Borough Members, Mr. Estcourt and Mr. Pearse, who in addition also presented £1000 each towards the undertaking, and on the resignation of Mr. Estcourt soon afterwards, and the election of Mr. Watson Taylor, the latter gentleman presented another sum of £1000. A similar sum was also raised from the inhabitants by voluntary contributions.

The act authorized a rate upon landlords to the amount of half the cost of the foot pavements, which was raised by instalments to the amount of £2522, and the remainder of the whole cost of the improvements was raised by loans, and by the application of the rate for general purposes during the progress of the improvements, and amounted to more than £13,000. The power of rating was 4 shillings in the pound, and it was found necessary to levy it to the full amount allowed by the act.

The Borough was paved throughout, and the carriage-roads either pitched, or macadamized. The streets were lighted with gas, and new culverts for drainage were laid down under nearly every street, communicating with the ancient sewers. These improvements, with divers others of a minor nature have tended to a decided in-

crease of the trade of the town, and to the accession of respectable inhabitants in its neighbourhood. But the effect produced in another department was quite extraordinary, namely, in the enhancement of the value of Borough property. In an estimate made and alluded to by the Council in their Memorial for leave to sell property for the reduction of the Debt, it is stated that the amount laid out by lessees of the Corporation on their leaseholds since the period referred to, was more than £14,000, and it could easily be proved to amount to £20,000. This is corroborated by the large additional amount of Fines received for renewals since 1825. The receipts from the midsummer of that year to the midsummer of 1833 having risen to an average of £390 8*s.* 9*d.* per annum—which had been before, not quite £85 per annum, taken on an average of 16½ years from December 31, 1808.—The receipts for fines since 1833 to 1836 were £297.

Some progress has been made in paying off the Debt created by these improvements, chiefly by the profits derived from the Gas Works, which the Commissioners were authorized to erect, and which in addition to the outlay above mentioned cost £4,000. These Works are under the management of a Committee appointed from among the Commissioners. The act prescribed that for the public lamps, a charge was to be made upon the rate for general purposes, to the same extent as would be made by a private company, and as there can in this case be no competition, in practice this

charge has amounted to the actual cost per lamp, estimated by the quantity of gas manufactured, and deducting the amount sold by measure to private consumers, upon which alone the profits have arisen. The Corporation granted a lease of 99 years of the land for the Gas-works, at a nominal rent without fine, covenanting to renew also without fine, if the works were still held by the Commissioners. The land had been purchased by the Corporation of the Wharf Company for the sum of £500.

The improvement act furnished no powers to bring water into the town, a supply of which had been needed for centuries. The deficiency had previously been designed to be met by a clause inserted in the Kennet and Avon canal act 34 Geo. III. cap. 90. By the 13th section the canal company were required within one year after the canal became navigable, at or near Devizes, at their own cost, to erect a reservoir sufficient to hold one quarter of a lock at the least, and of a sufficient height that the water might run thereout through pipes into the streets and lanes of the Borough, together with a pump to raise water from the reservoir. The Mayor and Burgesses were to keep the pump in repair, and were empowered to raise so much water daily as would fill the reservoir, and in addition to this, so much might be carried away by pipes or otherwise, as might be necessary for the use of the inhabitants of the town. No reservoir however was made by the Canal Company in pursuance of this act, but

about 1828 the Corporation were in treaty with them to supply water for the use of the town in a mode differing from that pointed out by the act, the plan therein devised being considered inadequate to the purpose. About the same time the Canal Company were threatened with proceedings by an individual of the Town unconnected with the Corporation, to compel them to construct the reservoir according to the act. The Canal Company therefore professed themselves willing to complete the work in the manner proposed by the Corporation on receiving an indemnity from the latter for deviating from the prescribed course. This demand of indemnity not being acceded to, the scheme was abandoned. A difficulty was also experienced in the circumstance that the Commissioners of the paving act had no power to apply any part of the rates to the purpose of laying pipes, &c. even if the reservoir and pump had been provided by the Canal Company and the Corporation. In 1836, however, in consequence of a new demand made by the Town Council, the Company at length erected a Tank on a level with the Canal, into which they now let off daily a quarter of a lock according to their stipulation. They are now (January, 1839,) also erecting another Tank (with a pump to raise the water into it) of the required altitude, viz. to convey the water into all the streets and lanes of the old Borough. The expense of keeping the upper Tank and the pump in repair will fall on the Council, but that of raising the water must be supplied from other funds, there

being some doubt whether they possess the power of appropriating the Borough fund to such a purpose.

It may here be remarked, though not exactly coming under the head of late improvements; that the water communication with London and Bristol effected by means of the Canal in question has proved the occasion of no small advantage to the commerce of Devizes. A very considerable additional outlay in the cost of that undertaking was incurred by bringing it so close to this town, owing to the rapidity of the ascent which it is made to surmount in order to gain the high ground just at this particular spot; whereas the attainment of the same level might have been accomplished by pursuing a line of much more gradual acclivity. Whatever may have turned out to be the result of this arrangement, whether to the interest of the shareholders on the one hand, or those of Devizes on the other, it is not generally known that the Corporation of the town, through the influence of their representatives in parliament, were the main instruments in bringing it about.

The Canal passes by Devizes just at the termination of a level line of fifteen miles extent, and immediately falls by the inclined plane above alluded to, through 295 feet by means of 29 locks till it meets with the Wilts and Berks canal. The steepness of the ground rendered it necessary to furnish several of these locks with retaining basis of considerable magnitude, by which the water is suffered to expand itself, and is thus pre-

vented from being wasted. The continuous series of locks and basins thus produced, presents a coup-d'oeil, which when viewed from below, is particularly striking ; and may justly be regarded as a great work of art. The effect even at night is not devoid of interest, owing to the long descending line of gas lamps, which here protect the passage. The canal after its junction with the Wilts and Berks, traverses five miles on level ground—descends 10 feet by one lock at Bradford continues another level course of 9 miles, and just before entering Bath descends (in a length of 1750 yards) 36 feet by means of 7 locks. A canal parallel with the Avon establishes the communication between that City and Bristol, and thus completes one end of the line. Returning to the level space of 15 miles near Devizes, where we set out, the canal after pursuing an exceedingly devious course by Horton and Bishop Cannings, skirting the hill at Allington and that at Woodborough—rises 33 feet at Wooten-Rivers by four locks to the summit level at Burbage common. It had been originally intended to avoid this last heighth of 33 feet, by means of a tunnel of 5,000 yards in length, but rather than incur so great a labour, it was subsequently determined to rise to the present level, and to supply by a steam-engine the want of the usual resources furnished by rain-water, a resource unavoidably lessened in proportion to the elevation of the site. In the execution of this plan, the present tunnel is 700 yards in length, and the summit level extends to 2 miles

and a half only. Thence the canal travels 16½ miles in descending 212 feet, and forms a communication with the Kennett near Newbury. Throughout this line the channel is 45 feet in breadth at the surface, and 5 feet in depth. It is in large section, and its locks are 80 feet in length, and 14 in width. It is one of the principal works completed by the late John Rennie, an engineer, the principal merit of whose plans, certainly did not lie in the cheapness with which they were executed. The Kennett and Avon canal was commenced in 1794, and completed in 1805.

The WHARF at Devizes, situated on this Canal, demands also, some particular notice. By the 134th section of the Canal act 34 Geo. III. c. 90, proprietors were empowered to make Wharfs upon their land adjoining the canal. By section 125 it was arranged that if the Corporation of Devizes, should think fit to exercise this power on their lands here, no other person was at liberty to construct a Wharf within a mile of the Borough Wharf. The Corporation were unable to bear the expense of one themselves, and therefore assigned the privilege to a Company of lessees, twelve of whom were corporators, and the thirteenth, the brother of a corporator. The lessees covenanted to level the ground and erect a warehouse and cranes at their own expense, the Council undertaking to grant them a lease of the ground for 60 years. The lessees were bound to keep them in good repair, and deliver them up in the same state, at the expiration of the term, with-

out receiving any consideration for the same. They were to pay 20 shillings quit-rent the first two years, and after that, one-eighth of the profits, after deducting 5 per cent. interest on the amount of their investment.

The large outlay of money however, with which it was deemed necessary to commence the establishment, defeated to a considerable extent the hopes of the lessees. It was found that the Wharf could not pay 5 per cent on the outlay, the only amount received by the Corporation being the sum of £2 under the head of quit-rents, in lieu of the eighth of profits above 5 per cent. The Corporation having refused to seal a lease, until the accounts of profits should be produced, the Lessees drew up a statement embracing the amounts of capital they had advanced, and of dividends received; shewing the amount of the deficiency of 5 per cent. which they had received, and a claim for compound interest on the principle of annual rests, in account with the Corporation. This was presented to the Council of that Corporation on the last occasion of their meeting 23 Dec. 1835, and being deemed sufficiently explicit a lease was thereupon sealed.

When this account was examined by the Finance Committee appointed by the present Council in Feb. 1836, it was objected to as insufficient; but in Aug. 1838, a more circumstantial one was rendered, the acceptance of which however has not yet (January 1839) been made known. The large outlay in the construction of the wharf has

almost precluded the hope that the Corporation will derive any advantage from their eighth share, adverted to above, until the expiration of the present lease, but when that period shall arrive, the receipts will in all probability form an important addition to the revenues of the Borough.

CHANGE OF CONSTITUTION AND GOVERNMENT. —Having described the effects of local acts of Parliament, which appear to have supplied deficiences arising partly from the want of Corporate funds, and partly from the want of better management; we have next to contemplate the moral transformation which Devizes has sustained in common with other English Boroughs, by the instrumentality of the 5th and 6th Will. IV, commonly called the "Municipal Corporations act." and by the amended acts 6 and 7 Will. IV, and 1st Victoria.

The first actual step taken towards remodelling the Boroughs of England was an act passed in the 3rd year of Will. IV. to settle and describe their respective limits, in so far as respected the election of members to serve in parliament. These limits were by the 5th and 6th Will. IV. c. 76, made the new municipal boundaries in the case of the Boroughs named in the first section of Schedules A. and B. and of which Devizes was one. It will not of course be expected that in a work like the present, possessed of only local interest, any lengthened account should be given of the provi-

sions of a bill equally designed to regulate all English Boroughs, and a copy of which, most persons therein interested, are presumed to have in their hands. A statement however of the most prominent changes brought about by it in Devizes, forms a necessary sequel to that which has gone before.

The Corporation is now styled "The Mayor, Aldermen, and Burgesses of the Borough of Devizes." The grand change effected by the act, is, to make all the Burgesses members of the body corporate; having the collective power through the medium of the elective franchise, to controul the distribution of its revenue, and being on the other hand rendered liable together with the rest of the inhabitants, to supply the funds necessary for the maintenance of municipal government.

Qualification of Burgesses.—Every male person of full age, who on the last day of August in any year shall have occupied any house, warehouse, counting-house or shop within the Borough during that year and the whole of each of the two preceding years, and also, during the time of such occupancy shall have been an inhabitant householder within the Borough or within seven miles of it; such person is a Burgess of the Borough and member of the body corporate, provided that the above qualification be accompanied by the payment of all parochial and borough rates, granted within six months previous to the 31st August. The Burgess may acquire his title by virtue of succession—in the case of promotion to a benefice, or

by descent, marriage, marriage-settlement or devise; but he is disqualified if he be an alien, or has received parochial relief or other alms, or any pension or allowance from any fund in the hands of the charitable trustees of the Borough. It devolves upon the Burgess to ascertain whether his name is inserted in the Burgess-list delivered annually to the Town Clerk on the 5th of September by the overseers of the parish; and if it has been omitted, he must claim to have it added; he must also in this case prove his title in the Mayor's and Assessor's Court, which he is required to do, if any other Burgess disputes it, after insertion. Very clear and intelligible forms and directions are given for these claims and objections in the schedules of 5th and 6th Will. IV. c. 76, and the Burgess is thus left to prove the value at which he estimates municipal rights by his own watchful attention in securing them. No person in future can be elected or admitted a Burgess by gift or purchase; all such modes are now abolished, but the franchise must be admitted to be so extensive as to embrace all persons who by continued residence, and full participation in the public expenses, can be said to have any claim to it. The elective franchise is now exercised by the delivery of a voting-paper, which is signed by the Burgess and exhibited by him at the polling-places.

The Borough is divided into two parts, denominated the north and south wards (whose limits will be hereafter specified) and the Burgess lists, when revised, are also divided into Ward lists,

which the Town Clerk is required to keep for the inspection of the Burgesses. Each Ward is represented by 9 Councillors, of whom 3 are elected annually on the 1st Nov. On the 1st March the following appointments are also regularly made—two Revising Assessors, whose duty it is to revise the Burgess lists with the Mayor—two Ward-Assessors for each Ward, who preside with an Alderman of their Ward in the municipal elections of the succeeding year; and two Auditors of the Treasurer's accounts. Extraordinary elections to supply vacancies in any of these offices, must also be held within ten days after they have occurred.

The Qualification of Councillors, Auditors, and Assessors (who are elected by the Burgesses), as also of the Mayor, the Alderman and the Coroner (who are the choice of the Council) is as follows. They must be Burgesses, and either be the occupiers of premises rated at £15 per annum to the relief of the poor, or be possessed of real or personal estate, or both, to the amount of £500. They are disqualified however, if in holy orders, or the regular ministers of dissenting congregations, or if they accept any office of profit in the gift of the Council, or share directly or indirectly in any contract or employment from them, which last proviso however does not extend to their being proprietors or shareholders of any company contracting with the Council to light or supply the Borough with water. Any Alderman or Councillor although chosen, becomes disqualified, whenever he ceases to be on the Burgess

lists, and the Council are required to declare him such also, if he become a bankrupt, if he compound with his creditors, or take the benefit of the Insolvent act.

The number of Aldermen is six, of whom three are elected for each Ward by the Council. Their term of office is six years; half of their number is chosen every three years on the 9th November, on which occasion, the practice is to nominate two for one Ward and only one for the other, which is of course reversed in respect of the Wards, at each successive triennial election. Aldermen may be taken from among the Councillors, or from Burgesses qualified to be Councillors; if from the former, the consequent vacancies to be forthwith supplied.

To form this new representative body in the year 1835, it was necessary to make nine Councillors at once; those elected by the highest number of votes to remain three years, and those by the lowest, to go out of office at the end of one year. In the case of Aldermen, the Council had to declare who was to go out in 1838, and who were to fill the office for the usual period of six years. The second Election of Aldermen has now occurred and the whole order of successive elections is established.—In the greater number of instances, it appears that the same persons have been re-elected.

The election of the Mayor by the whole council, is its first business on the 9th November in every year, and in order to invest the act

of nominating the Chief Magistrate, with all befitting importance, the hour of election is fixed for 12 at noon.

The Council thus constituted and made uniform in number by a constant and regular provision for the supply of vacancies, has the power of making bye-laws, subject to the approval of the Secretary of State; the election of all officers (excepting the Recorder and the Justices, who are appointed by her Majesty's Government) and the fixing of their salaries.—They are the administrators of the revenues derived from the freehold property of the Borough and from the Tolls of its markets and fairs, and have in addition, the new and responsible power of levying rates to supply all deficiences in the Borough fund for certain expenses which the municipal bill has transferred from the County to the Borough, and which were formerly met by County rates. One third of the Council may act in ordinary business, but two-thirds are necessary in making, altering, or rescinding bye-laws.—Members of the Council are exempt from serving in Juries.

The fines for refusal to accept the various offices above referred to, unless the person elected can claim exemption from being 65 years of age, or from having already served it within five years, and also for absence from the Borough, are fixed by the Bye-laws in Devizes, as follows. In the case of Mayor at £50—in that of Alderman, Councillor, Auditor or Assessor at £25, and the same amount of fines must be paid before any of these

offices can be relinquished while the term appointed is unexpired.

The Executive officers of the Council are 1st. *The Mayor.* Who may be chosen either from among the Aldermen or the Councillors. Besides being the Chief Magistrate and the returning officer, as formerly, at all elections for Members of Parliament, he is the president of the Council; their medium of communication with her Majesty's Government, and his signature usually accompanies the Corporate seal. His duties are much increased by the enlargement of the Borough and by the municipal elections, but as yet no salary has been attached to the office.

2nd *The Treasurer,* who cannot be one of the Council. He has none other duties than the receipt and payment of monies, and he can only pay money on a written order of the Council signed by three members of it and by the Town Clerk. His accounts are examined in the months of March and September by the two elective auditors and one Councillor nominated by the Mayor on the 1st. March.—The fund to which his accounts refer is now termed "The Borough Fund."

3rd. *The Chamberlains.* These are no longer the Treasurers, though they still have charge of the property of the Corporation. They are the persons named in the leases of the Corporation as having the power to survey the property. The collection of rents and tolls is under their management; and since the payment of monies is necessarily subject to their previous examination, and

as complete accounts must be kept for the information of the Council, their duties are increased rather than lessened by the appointment of Treasurer. At present the Chamberlains happen to be members of the Council and therefore can have no salary.

The office of *Steward and Clerk of the Courts* is now abolished and its duties are divided as follows.

4th. *The Town Clerk* is the responsible legal adviser of the Council. He attends at their meeting and records their proceedings. He also acts as their solicitor, and by certain provisions of the municipal act, has other duties specifically devolving on him alone, chiefly in connexion with the Municipal Elections, in which capacity he must be considered, properly speaking, as acting for the Burgesses at large. But perhaps the most responsible of these special duties, is the keeping of the Muniments and Records of the Corporation ; which previous to 1835 were in the nominal custody of the Mayor and the two Chamberlains, who each had a key of the three different locks of the Borough Chest.

5th. The office of *Registrar* of the Court of Record is held in Devizes by the same person as that of Town Clerk. A few observations on the history and practice of this Court will be made hereafter. The Registrar will be paid by fees.

6th. The *Clerk of the Peace* who is elected by the Council and remunerated by fees cannot be the same person as the *Clerk to the Justices*. This

latter officer is appointed by the Justices themselves and is in like manner paid by fees.

The old office of *Wardens* of the Alms Houses is now merged in that of *Trustees* of Charities. These however are not of the Town Council, who therefore have no duties of this nature to perform.

A Collector of Rates has been appointed under the 6th and 7th William IV. c. 104, whose duties are confined to the issuing of precepts for Watch-rates and Borough-rates, and to the receiving these rates from the parish officers and paying their amount into the Treasurer's hands. Besides these there are no other executive officers of the Council except those who act as Collectors of tolls and rents under the direction of the Chamberlains.

Committees. The standing Committees of the Council, are 1st The *Watch Committee*, the appointment of which is made imperative by the 76th section of 5th and 6th William IV. and of whom the Mayor must be one, and the quorum consist of not less than three. They have distinct powers given them for the appointment and management of the police, and are required to make returns on that head to the Secretary of State on the first day of the months of January, April, July, and October respectively.

2nd. The *Finance Committee*, who were appointed to consider and report upon all matters touching the property and income of the Corporation, the salaries of officers, and in short, on all matters relating to accounts.

The Police force is thus regulated. There are two chief Constables appointed annually by the Council from among the respectable inhabitants, who are usually nominated by the Mayor on his election to office. These are without salary. The number of Day-Policemen employed is four, who are also the Bailiffs, and act in the court of Quarter Sessions in delivering summonses to juries, &c. which they will also do in the Court of Record so soon as it is re-established, as well as serve processes in it. There are now no *Sergeants at Mace*. Their peculiar duties are dispensed with for the present, by one of the early resolutions of the new Council. A box prepared for the Maces is now their state coffin, and is likely to remain such, unless it shall be found necessary to revive the office in the Court of Record for the purpose of legal arrest. One of the first resolutions of this Council 1 Jan. 1836 was this "Resolved, That the maces be not used, and that all distinctions of dress be abolished."

There are four Watchmen and one night Constable who acts as superintendent of the night watch; and this arrangement is found to be sufficient for the ordinary protection of the Borough. Thirty others, however, called special Constables, are appointed in October of every year, to be called out in case of tumult.

Lastly, some notice must be taken of the ancient office of *Bedell*. At present he is one of the policemen above mentioned, but is distinguished from them by his costume. Few will

regret that in this instance, the new Council have not entirely abolished distinction of dress, and that the present stalwart official is still allowed to ruffle it in the ancient hunting garb, which has so long rendered the office familiar to our eyes. (The Bailiffs of the Forest were formerly called Bedells)

The following are the judicial and magisterial appointments.

The *Recorder* of the Borough is appointed by the Crown. He is the sole Judge in the Courts of Record and Quarter Sessions, but he cannot be either a member of the Council, or representative of the Borough in Parliament. He can act as Magistrate in all cases except in licensing public houses. His qualification for the office consists in his being a Barrister of five years standing.—Salary £31 10*s*.

The *Coroner* for the Borough. This office is instituted by virtue of a separate Court of Quarter Sessions being held within the Borough. In Devizes it is the re-creation of an appointment which the reader will remember, existed from the period of Richard the second's Charter, but which appears to have been discontinued when that of James I. was received. The Coroner is now appointed by the Council, by whom, the fees he is allowed to give to jurymen and summoning officers are fixed, and to whom his accounts are submitted for payment. Both his fees and those of medical witnesses have been lately increased by special acts of Parliament.

The *Justices of the Peace* or Magistrates of the Borough, who must be either residents in it, or within seven miles of it, are appointed by a special commission from the Crown. They have all the powers within the Borough of County Magistrates, except that of levying rates. They hold a petty sessions every three weeks, and by a recent act are empowered to try appeals against the rates.

The Gentlemen to whom his late Majesty's commission was first assigned in 1836, were, The Mayor for the time being—The honourable Duncombe Pleydell Bouverie of Cliffe-Hall—Thomas Henry Sutton Bucknall Estcourt of New-Park, Esquire—Robert Herbert Brabant of North-Gate Street, Physician—Thomas Scott of Park-Cottage, Esquire—William Hughes of St. John Street, Banker—Charles Lewis Phipps of Wans-house, Esquire—and Henry Stephen Olivier of Manor-house, Esquire.

The first Aldermen chosen were, for the North Ward, Dr. Brabant, J. W. Wall, and Robert Waylen, Esquires. For the South ward; James Thomas Heard, William Cunnington, and Richard Biggs, Esquires.

Town Clerk. William Salmon, Esq.
Recorder. W. H. Ludlow Bruges, Esq.
Treasurer. William Hughes, Esq.
Chamberlains. Paul Anstie and William Tanner, Esquires.
Clerk of the Peace. William Salmon, Esq.
Clerk to the Justices. George Anstie, Esq.
Coroner. Charles Felix Sartain, Esq.

THE COURT OF RECORD. This court for the trial of civil causes, to which allusion has been made above, was first established in Devizes by the Charter of James I. and underwent some slight modification by that of Charles. It was de-

signed to extend to all causes of action arising within the Borough, not only concerning matters of *debt* and *contract*, but also in *trover*, *detenue*, *ejectment*, and in causes personal or mixed, provided that the debt or damage should not exceed £40; appearance to be enforced by *capias*, and judgment levied on body, lands, or goods. The Court was to be held every Friday, and to be adjourned from week to week, or for a longer time, before the Mayor, the Recorder (or his deputy) and the Capital Burgesses Councillors, or before four of them at the least, of whom the Mayor and Recorder (or his deputy) were to be two. It was also provided in the Charter of Charles, that no trial or verdict should be had or taken, nor any judgment given unless in presence of the Recorder or his deputy. The proceedings and the form of pleading in this Court, were the same as in the superior Courts, with this exception, that in ejectment, it had been thought that the Court had no power to compel the defendant to admit *lease, entry and ouster*, and in order that this form of action might be maintained, it was necessary that a lease should be actually executed on the premises, notwithstanding which inconvenience, such procedure had on one occasion been contrived, and ejectment brought thereupon.

One of the early laws passed on the subject of this court in the time of Charles I. imposed the penalty of 20 shillings on any Burgess who without the consent of the Mayor or Town Clerk should sue another Burgess in a court out of the

Borough in cases cognizable in the Court of Record, except by writ of error upon a judgment given in the said Court, or removing a plaint out of it, by *habeas* or other writ of that nature.

The business of the Court began to decline very much about 1776; before that time, there were usually ten or twelve causes subsisting at once. The decrease continued in such a manner that in 1813 there were only two causes tried, and in one of them the defendant was in the course of the next year discharged under the insolvent act. From 1813 to 1830 no causes were tried, and the court fell into almost total disuse, except for the purpose of quickly arresting a party. In 1833 a single action came to trial, and as the sittings had lately come to be held but once in six weeks, and as each stage of the proceeding could only be entered or filed on a court-day, a considerable time of necessity elapsed (in this instance almost six months) between the first issuing of the writ and the final judgment and execution. The delay in this case was greater than it would otherwise have been, in consequence of the resignation of the then Recorder just about the time that the cause was coming on for trial.

One reason for the decline of its practice was that there were no rules of court extant, and the practice being so little known, attorneys were afraid of irregularities in it. Added to this, the fees allowed, were less than one-third of those in the superior Courts, and the taxed costs far too low to remunerate solicitors from practising in

it. Since the municipal reform bill came into operation, this court has continued to be adjourned from time to time by the Mayor, but no causes are at present (January, 1839,) tried. The Recorder who is now the sole Judge, has made out a new set of rules, which are under the consideration of the Judges, who are also determining the rules of the Courts of other Boroughs at the same time. A new table of fees has also been revised and sanctioned by the Secretary of State; and when in addition to this, the decision of the Judges shall be made known, the Court will be re-established in such a manner as to present every probability of its becoming much more efficient than at any former period. Some provision will then no doubt be made for the confinement of debtors. Great inconvenience long arose formerly for the want of this appendage, in the cases of persons arrested, or taken in execution under process issuing out of this Court; and may be regarded as having been one of the principal causes of the delay of the business there; since, when such cases occurred, the parties were committed to the custody of one of the Sergeants at Mace, who had in general no place of security at his command, and who was not a person of sufficient substance to be responsible for an escape. Persons therefore thus in execution or under arrest, appear to have been frequently at large. This was the case with the defendant in the cause already alluded to, until upon remonstrance being made, he was put into confinement. The means of doing this

were only effected by the accident of the Sergeant at Mace being also keeper of the County Jail in the Town.

The office of Registrar of the Court appointed under the act, is as before observed, held in the case of Devizes, together with that of Town Clerk. Neither he however, nor his partner or clerk are at liberty to practise as attorneys in the Court, nor can such partner or clerk act as agent for any other attorney in it. With these exceptions, the practise is open to every attorney of her Majesty's superior Courts at Westminster. The jurisdiction remains the same as before the passing of the Municipal Reform Act.

The jurisdiction of the Court of Sessions of the peace of the Borough is by the new act extended to all cases cognizable by any Court of quarter sessions of the peace for Counties in England. A change too has taken place as to the expenses of prosecutions. Under the old system, prisoners sentenced to hard labour at the Borough sessions were sent to the County bridewell, and there maintained at the County's expense, a charge which fell on them, because Devizes paid to the County rates. Prisoners committed for trial at the Borough sessions were sent to the County jail within the town, and the expense, of providing for *them* also, fell upon the County, as well as the expense of the prosecutors at the Borough Sessions. The new grant of Quarter Sessions, having exempted the town from the payment of County rates for the future, the cost of

the maintenance and prosecution of offenders has now to be defrayed from the Borough fund. This charge is found to be a heavy one, and has occasioned a small increase in the amount of Rates; but it must be remembered that it is the condition on which the advantage of a separate Court of Quarter sessions was obtained. All criminals committed by this Court, or by the Borough Magistrates are now provided for in the New County Jail, by a contract made between the Town Council and the County Magistrates. The Old Bridewell is abolished.

The persons qualified and liable to serve on grand juries in the Borough, or upon juries for the trial of issues joined either in the Court of Quarter Sessions or in the Court of Record, are all the Burgesses of the Borough, (unless exempt or disqualified otherwise than in respect of property, by virtue of the jury act of 6th George IV cap. 50), to be summoned in the one case by the Clerk of the Peace, and by the Registrar of the Court of Record in the other. Burgesses are not liable to be summoned more than once a year (unless all have been called) and they are exempt from serving on juries of County quarter sessions. Members of the Council are exempt from all.

THE BOUNDARY LINE which now forms the municipal and parliamentary limits of Devizes, embraces the two parishes of St. John the Baptist and St. Mary the Virgin; also a part of the parish of Rowde, and a part of the chapelry of St. James which is a tything in the parish of Bishop's Cannings. The extreme length of the Borough from North-East to South-West is about two miles—its greatest breadth one mile. The whole of the Borough may be said to be strictly connected with the town except the South-West portion called the Old Park. This district which was the site of the ancient castle of Devizes and of a royal park attached thereto (long since disparked) has been the subject of much curious enquiry as to the period when it was first included in the jurisdiction of the Borough Magistrates. *That* jurisdiction has certainly not been called in question within the memory of any person living, though there is every reason to believe that the park could not have been regarded as forming part of the Borough at the time that it was held with the castle in the hands of the Crown, the nature of its connexion with that castle as in the case of other districts similarly circumstanced, rendering the exemptions and privileges granted to the borough inapplicable to it. Even after the castle had long been dismantled, it would seem from a passage in an old rate-book of St John's parish that the park though treated as lying within the said parish, was not equally considered to be part of the Borough. The passage referred to is dated 23 April. 12th

of James I, and is the entry of a rate levied on the inhabitants "as well in that part of the said parish which is without the limits and precincts of the aforesaid Borough, as that part of the said parish which is within the said Borough and liberties, limits and precincts thereof" and this rate is allowed separately by two justices of the Borough for the one part, and two of the County for the other. The part here spoken of as out of the Borough must necessarily mean the Park, that being the only portion of the parish, about which any dispute could possibly arise. However, as custom had in effect long settled the point before the passing of the late acts, and as those acts have only confirmed the usage by irrevocably including the premises in question, within the Borough boundary line, it simply remains to state, what is the compass of that line.

The new limits therefore comprize "The Old Borough of Devizes, including the respective parishes of St. John the Baptist and the Blessed Virgin Mary, and also so much of the chapelry of St. James and of the parish of Rowde as lies between the boundary of the Old Borough and the following boundary; (*that is to say,*) From the point at which the boundary of the parish of St. John would be cut by a straight line drawn from the Dairy-farm-house on the Chippenham road called Ox-house to the Round Tower of the new County Bridewell, in a straight line to Ox-House, thence in a straight line to the house called Brow Cottage, thence in a straight line to the point at which the

towing path of the Kennett and Avon canal meets Dye-house lane, thence eastward along the towing path to the point where the canal turns northward near the bridge on the London road, thence in a straight line drawn due east to a point one hundred yards distant, thence in a straight line to a house on the Salisbury road, at the South West angle of South-broom park, called the Half-moon house, thence in a straight line to the southernmost point at which Gallows-acre lane is met by the boundary of St. John's parish.

The district thus enclosed is again divided into two Wards, or parts nearly equal both in numbers of inhabitants and in superficial extent. It has also been so drawn as nearly equally to divide the park lands. This division is substantially that adopted by the Revising Barristers, in whose award the Commissioners were prevented from fully concurring only by the circumstance that their description of the line of division appeared to be ambiguous in one direction, and referred to the plan deposited with the Town Clerk as the standard by which that description (in case doubts arose) should be understood. To remedy which inconvenience, they suggested a straight line from one point to another, by which the necessity of any reference to the plan alluded to in the Revising Barrister's report (except for illustration) is avoided.

No. 1, or North Ward—contains so much of the Borough as lies to the north of the following line, (that is to say) from the point at which the Salisbury road crosses the boundary of the Bo-

rough, northward along the Salisbury road to the point at which the same meets Sidmouth Street, thence along Sidmouth St. to the point at which the same meets the boundary of the parish of St. Mary, thence northward along that boundary to the point at which the same meets the South-eastern boundary wall of the Church-yard of St. Mary, thence westward along the said boundary wall to the point at which the same meets Monday Market Street, thence in a straight line to the eastern end of the Brittox, thence along the Brittox to the point at which the same meets Wine street, thence along Wine street to the point at which the same meets St. John's Street, thence northward along St. John's Street to the point at which the same meets Castle Lane, thence along Castle Lane to the Western end thereof, thence in a straight line to the old Tower on Castle-mound, thence in a straight line to Marsh bridge in Marsh Lane.

No. 2, or South Ward, Contains so much of the Borough as lies to the south of the line just described.

The report of Will. Salmon Town Clerk
6th April 1836.

No. of persons qualified to vote for members of Parliament 335
No. Ditto for Councillors 328
No. Ditto in each list either for Members of Parliament or for Councillors . . 257

321 were on the register at the general election in 1835 but only 260 actually voted.

RETURN MADE IN 1836.

	Parish.	Population in 1831.	Houses		Males paying Rates.	Females, Do.	Houses Excused.	Do. paid by Landlords.	Warehouses, Shops, &c where no dwelling	Poor Rates collected 1834-5.	Rack Rent.	Burgesses Registered.	Councillors.
			Inhabited.	Void.									
North Ward	St. Mary in part	1274 *a*	269	6	103	13	41	114	1	450*b*	2,600		
	St. James in part	1265 *a*	204*c*		47	3	134	18	2	200*d*	1,920		
	St. John in part	488 *a*	79	2	69	6	7	—	-	498*e*	6,000		
	Rowde	40 *a*	20	1	20	—	6	—	-	50*f*	270		
		3067	572	9	239	22	188	132	3	1198	10,770		9
South Ward	St. Mary	1315 *a*	278	18	114	13	49	104	20	620*b*	3,500		
	St. James	500 *a*	81*g*	1	29	8	45	—	-	145*d*	7,400		
	St. John	1485 *a*	241	13	115	28	93	—	-	774*e*	8,000		
		3300	600	32	258	49	187	104	20	1539	12,900		9
	Total of the Wards	6367	1172	41	497	71	375	236	23	2737	23,670	277	18

a. Signifies approximate numbers.

b. Rated at 12 shillings in the pound. The best houses are rated at one third of the rack rent; an inferior class and public houses at one fourth: cottages &c. at one fifth.

c. Of these, 163 houses are rated under £6.

d. Five rates each 1s on land and 6d on houses assessed on two thirds of the actual value.

e. At 6s 6d in the pound, assessed on a proportion between one third and a half of the rack rent.

f. At 6s in the pound assessed on two thirds of the value.

g. Of these, 50 are rated under £60.

CHAPTER VII.

SKETCH OF THE FINANCIAL HISTORY OF THE BOROUGH—ORIGIN AND INCREASE OF DEBT—MODE OF LIQUIDATING THE SAME—ENLARGEMENT OF THE MARKET BUILDINGS—COMPARISON INSTITUTED BETWEEN THE OLD SYSTEM AND THE NEW.

The Mayor and Burgesses of Devizes held the Bailiwick of the Borough, consisting of the *Law-day* and *View* of *Frank-pledge*, the profits of *fairs* and *markets*, *fines*, *perquisites*, *waifs*, *estrays*, and a variety of other emoluments arising within the Borough (with a few exceptions) by a yearly rent of a hundred shillings until about the 32nd year of Henry VIII. at which time the Manor and Borough with appurtenances were parcel of the Queen's jointure. At a survey then taken by her commissioners, upon which it appeared that the then Mayor and Burgesses could make out no title to the Bailiwick, otherwise than by Prescription, which it was contended was of no avail when opposed to the King's right; they were urged to take a lease of it from the Queen, which they therefore did, at the same rent as formerly, hold-

ing it in terms of twenty one years. This continued till the 7th of James I., at which time, notwithstanding that eighteen years had to run to complete a term, one Edward Wardour of St. Martin-in-the-fields, Middlesex, Esquire but afterwards Knight, obtained a lease thereof, for a term of forty years from the king, in reversion of the lease then in existence. This new lease however, on the payment of no less a sum than £300 to Edward Wardour, was in turn assigned and set over to the Mayor and Burgesses, who in order to preclude the possibility in future of leases being obtained over their heads, petitioned the Crown for a grant of the fee-farm of the Bailiwick, which after much vexation and delay and the further payment of £120 was at length made, to be held as before, as of the manor of Estgrenwith in Kent, in free and common socage, and not by knights' service or in capite; the rent of a hundred shillings to be still paid. This was the occasion of the new grant of Charter also, from James.

At the period of the suppression of the Chauntries and the arbitrary appropriation of their revenues by the ministers of Edward VI. the difficulties experienced in so many cases, in coming at the full knowledge of the premises from which those revenues were derived, would appear from the following extract, to have involved the property of the Corporation of Devizes in some slight difficulties.* The document in question, which

* The Chauntries in Devizes, most or all of which seem to have been attached to St. Mary's parish, are particularly spe-

is dated 1626, sets forth that the Corporation of Devizes having from time immemorial been seised in their demesnes of fee and right in divers messuages, burgages, lands, tenements, and hereditaments within the Borough of Bishop's Cannings, Rowde, Meeke and Marlborough, and having had several other demesnes in and near the Borough drawn from them by colour of concealed lands; they, on the 23rd of Elizabeth, in order to prevent similar mischiefs in the residue of their possessions, did, without advice or consent of Counsel, entitle the Queen to them. Whereupon a grant of them from her was obtained as concealed lands unto William Erwood, to the use nevertheless of the Borough-fund by a yearly rent of £10 to the Crown, notwithstanding that the said lands had ever been in charge before the auditor of the county, and could never therefore be said to have been concealed.

The property held in the hands of the body corporate, deriving its commencement probably from a few insignificant burgage tenures in the first instance, and with the rising commerce of the Town, gradually expanding itself by the aid of various augmentations made at different periods, came in the course of time to be very considerably intermixed with that of individuals, as well as partially changed in character. It would however be quite impracticable to trace the alterations it has thus undergone, and the majority of readers will think

cified in the department devoted to the ecclesiastical history of the Town.

it equally uninteresting to enter into any specification of its various parts as now existing. All that is designed, is to exhibit in as few words as the nature of the subject will admit, and with as little of reference as possible to individuals or to collective bodies, a view of the past resources and future prospects of the corporate revenue.

INCOME. The ordinary revenues of the corporation have at all times arisen from rents of various kinds, and from the tolls of its Fairs and Markets. Some of these however have become quite extinct: for instance, under the head of Rents, it formerly received some from certain lands at a distance from the Borough, which rents were denominated Castle-Guard. This on all probability was a consideration granted to the Borough for the defence of the Castle of Devizes, to which the inhabitants were bound by the Charter of Richard II already adverted to. These rents varying from £6 to £10 appear to have been received so lately as 1689, but have entirely ceased for many years, and little is now known of them. So also under the head of Tolls, the income was at a time within the memory of persons living, considerably swelled by the market for wool and yarn. Entries of receipts for "Rents of the Wool-Hall" appear as late as 1800. (This Hall which stood where the present Town Hall is erected, was taken down in 1803.) The yearly revenue from wool and yarn,

which is supposed to have consisted in charges for weighing and warehouseing, amounted at one time to £50; a fact forming in itself a sufficient record that one valuable branch of industry has been lost to the Borough, which once numbered six or eight establishments for the manufacture of different cloths from English wool.

The other sources of income which have remained comparatively unchanged were first,

Chief Rents or small annual charges upon freehold property. Entries of these appear on the books to a very remote period, accompanied by descriptions evidently applicable to houses within the Borough, on which they are paid to the present hour. These rents are very numerous, but trifling in amount, some of them being as low as one penny. In 1835 they amounted to only £6 19*s*.

Quit Rents: these are small payments for encroachments on the streets, and for vaults under them; also for land over the course of the Town ditches, and in situations which were originally public thoroughfares. An entry dated 1615 in the Chamberlain's accounts denominates these latter as "Rents of Streets and Town-ditches." The quit rents have usually averaged about £14 per an.

Though Chief rents are properly those which arise from freeholds, yet in some cases they have become payable upon leaseholds also, in addition to the quit rents. This appears to have been occasioned by the liability of the corporation to pay chief rents on some of the property so leased by

them, and thereupon a special reservation was made of a sum to the extent of their own liability.

The third and last description of Rent to be mentioned, is that paid on property held by lease from the Corporation; consisting of yearly amounts reserved on granting the leases and of Fines, which were in effect a sale of all the remainder of the rents to the end of the term. In some cases in the minutes of Council, the granting of renewals for a lengthened term, is called the " Sale of leases " The amount of rent reserved upon each successive lease appears to have remained unaltered, until within a few years back. It is stated in the Municipal Commissioners' report that the practice of the Corporation was to renew their leases when half the term was expired. This plan however was not universally adopted. They did not refuse a renewal, if this time had passed, and there are numerous instances of renewals made, when an unexpired term existed, much longer than the half. Neither did they covenant to renew them at all; so that it is impossible for Lessees now to avail themselves of the provisions of the 95th section of the Municipal act, which permits the granting of leases for more than 31 years, without a special covenant for improvements, on the ground of custom.

The terms on which renewals were effected underwent two changes within the space of 50 years. Before 1790 the fines were computed by reference to the poor rates for the annual value, and allowing interest at 6 per cent. After the above date

the tables were altered to 5 per cent, and in 1808 the standard of the poors rates was given up, and the yearly value was ordered to be taken at rack-rent. In practice one and a half year's rent was usually taken as the amount of the fine on leases which had an unexpired term of 50 years, and if the reserved rent was encreased, a proportionate deduction from the fine was made.

The houses of the late corporation as well as some of the lands on which their quit rents were received were let for 99 years; the remainder of their leaseholds for 60. The practice of letting for 99 years absolutely is of ancient usage in Devizes; it has been traced to the time of Queen Elizabeth, and leases are extant of 7th James the 1st. which recite the surrender of former leases. By an unrepealed bye-law passed in 1722 it was ordained that all leases should be for 99 years on one, two, or three lives, notwithstanding which, the late Corporation had not a single lease on lives.

The reduction of the term on leases of land, to 60 years, took place about a century ago; and this is the term of all such as at present remain unexpired.

The system of renewing leases under such unfavourable circumstances, by Corporate bodies who adopted it, as well as that of commuting future rents for a fine paid on granting the lease, having occasioned the introduction of a clause which is now the 94th section of the Municipal Corporation act; a good deal of discussion arose

upon the question in Devizes while the bill was before the house of Lords, and a petition was adopted against the clause by a small majority of a very small meeting of the Inhabitants. It is unnecessary now to renew such a discussion since another clause, by the permission to grant leases for 75 years under a contract for building, has made sufficient provision for the improvement of Corporate property. The circumstance that no leases can be renewed for many years to come (except for building) would have made the loss of fines as a source of income certain, even if the Town Council had not resolved on abandoning them for economical reasons.

The reserved Rents which had been encreased about £15 per annum since 1825, were stated in a memorial presented by the New Council to the Lords of the Treasury in 1836, to be £96 14*s*. 2*d*. The fines between 1808 and Midsummer 1825 were an average of £85 per annum; from 1825 to 1833 they were £390 8*s*. 9*d*. per annum, and for 1834 and 1835 £297.

The *Tolls* of the fairs and markets which next demand our notice, constitute a description of income of a much more variable kind than the former. As chronological indices of the advance or decay of particular branches of commerce, they possess considerable interest. Allusion has already been made to the loss of the tolls on wool: the corn market however, has on the other hand greatly increased; so much so indeed as to have become the principal feature in the trade of the

town. The toll on corn is the only one which is taken in kind; it consists of a bowl of the corn or seed taken from every sample sack pitched in the market for sale. There are other tolls for pitching or standing on the soil, which apply to all commodities offered for sale, and to horses, sheep, and pigs; nothing is exempt, but cattle, upon which no dues have yet been demanded, except on the Fair-days, when it is always taken. Even the ancient basket women have the honour of contributing to swell the public purse by the payment of twopence, which is levied on every basket containing articles for sale. The cheese market is held in the Town Hall and the charges in this department are for weighing, as well as for pitching and warehousing between the market days. The profits of the Butchers' market, which have experienced considerable reduction, arose from rents paid for stalls and standings. The butchers were restricted by a bye-law from selling in their own houses, either on Thursday or Monday, in order to enforce their attendance at the public mart. This they lately resisted and the dispute gave rise to an action, which terminated in their defeat in 1835. The verdict thus obtained by the late Corporation, was suffered to remain a dead letter, and the hesitation thus manifested in enforcing what they considered their claim, naturally tended to increase in the opposing party that unwillingness to comply with the verdict, which a law-suit would hardly serve to mitigate. It is but fair also to add, that the buildings in

which the markets had been held, were to a great extent unsheltered, and in so dilapidated a state, as to make the justice of compelling an attendance much more than questionable. The adjustment of this point formed one of the many difficulties which encompassed the new Town-council, on coming into office.

The total amount of Tolls has been so variable, and they have been let in such different portions, that it would be next to impossible to state anything approaching to a fixed annual amount. The market days were formerly on Thursdays and Mondays; the latter which has given its name to one of the streets, has long been abandoned. The two principal fairs are held on Holy Thursday and on Candlemas day.

The revenue derivable otherwise than through the channels already described, may be briefly stated as "Donations and Legacies—Sales—Fines for refusal to take office in the Corporation, and for non-attendance at Council meetings—Fines on contracts—and a few fees for uses.

Such being the sources of income, it remains to offer a few observations on the expenditure of the late Corporation of as popular a kind, as the subject will admit. Whatever the expences were, they had for a very long time exceeded the means of defraying them, and occasioned the creation and gradual augmentation of a debt, chargeable with heavy interest. Of the date and origin of this debt it is now impossible to speak with any degree of certainty, but from a variety of

extracts from the Chamberlain's books given in a former chapter, it is evident that if there was any period in the history of English Boroughs which warranted the creation of a local debt, it was that of the civil wars of Charles I. That such a debt was then forming, is evident from the entries of payment of interest on different sums borrowed, but then these payments are in perpetual contact with so many others, of the ruinous demands made by the Royal party on the resources of the poor little Borough, as to present an excuse for their conduct, which no one could well disallow. Whether or not their continuance of the practice in later days, admits of an equal justification, can best be gathered from a careful examination of the nature of their payments. For such examination the reader is referred to the report published in 1836 by the Finance Committee. The appointment of this Committee was one of the first acts of the new Town-Council, and whatever may have been the feelings naturally occasioned at the time, in the minds of some, by the exposure of their accounts; it will surely be admitted, that the diligence displayed by the Committee, and the moderation and candour with which their strictures are conveyed, entitle them to the thanks and good opinion of all parties.

The few notices which here follow on this subject are necessarily taken in a great measure from the above report.

The fixed charges on the corporate income, were, 1st the Fee-farm Rents amounting to abou t

£30 being payments made to grantees of the Crown, though it has long been unknown on what property it was first chargeable. 2nd. The Land-Tax on public buildings, £6 13*s*. 7*d*. 3rd. Rent charges payable almost wholly to Charities, £5. 10*s*. in addition to the Interest of the Debt which of course varied at different times, according to its aggregate amount and the rate of interest. Previous to 1833 this was wholly payable on account of Charities, either for loans from the Wardens of the Alms houses, or for specific Charitable bequests which had been thrown into the funds of the Corporation previous to 1786, (except a small amount on an arrear of Fee-farm rents) and was in some cases paid at the rate of 7 and 8 per cent. But in the above year, after the visit of the Charity commissioners, a committee of the Corporation investigated these Charities, and it was determined to pay off the sum of £300 which was found to consist only of loans for charitable funds, of which the parish officers were trustees; and to reduce the interest on the remainder to 4 per cent. In that year also it was that a bond was given for 41 years amount of arrears of Fee-farm rents and interest, being together £600, to the late Mrs. Sutton—and another to Mr. Salmon for £1500, the amount of his law expences. The interest on the whole debt after this period amounted to £141. 12*s*. and after 23 December, 1835, to £171. per annum.

The annual and occasional expenses consisted in salaries of officers—repairs and insurance of

public buildings– expences at the Town Hall and that long list of others, which like the customary allowance for the Mayor's dinner, are now not only considered unnecessary, but happily are forbidden by the strict definitions of the 92nd section of the Municipal Act. Of the above charges, only those which come under the head of salaries, admit of being given as fixed amounts. Those already enumerated are the ridiculously small sums of £2. 13*s*. 4*d*. paid to the Steward and Clerk of the Courts, and £4. divided between two Chamberlains.—The Bedell and Hallkeeper received £15; while the other inferior officers were paid in the aggregate £50. 8*s*. beside 8 shillings each for their attendance at the Quarter Sessions. These last mentioned functionaries consisted of two Sergeants at Mace, bedecked in cloaks and cocked hats, two Bailiffs and four Sub Bailiffs; their principal occupation was to figure in presence of the Mayor on Sundays, and of the whole Corporation on occasions of particular solemnity; but the sergeants had also the duties of constables who act only when called upon, and also attended the Council meetings. Half of their whole number, were discharged by the present Council, and the other half retained as policemen and bailiffs.

A variety of circumstances are detailed by the Committee, respecting the decay of the income arising from tolls, but as they rather relate to the practice of the Chamberlains and the conduct of their collectors for the time being, they are only noticed here as parts of a system, which could

allow of accounts remaining unaudited, for nearly 50 years, viz. previous to the year 1832.

This year was the period when the Corporation at length awoke. The representation of the Borough in parliament was no longer in their hands, and having the discernment to perceive that municipal reform would soon follow the reform in the house of Commons; their auditing committees, which for nearly half a century had been deaf to the call for accounts, now presented them with a sight of their debts and obligations. The visit of the commissioners in the following year, disclosed to the public the amount of the Debt then bearing interest, as £3815 and for the first time convinced the inhabitants, of Devizes that the mystery which had always enveloped the affairs of the Corporation had never been adopted to conceal their riches. This sum was reduced as already stated above, by £300 in 1834. The last addition made to it was on the 23 Dec. 1835 the occasion of the last meeting of the old Corporation, when £560 the amount of Mr. Salmon's, law bills was added, and also £100 each to two gentlemen who had filled the office of Mayor, but who had hitherto been unable to obtain the allowance for their annual "entertainment" so overburdened had the resources become.

The following is a brief sketeh of the progressive increase of debt from the year 1785.

In October of that year it consisted of Loans at Interest	1555	0	0
An old debt to Messrs J. and T. Eades	345	10	0
	1909	10	0

	£.	s.	d.
Besides other amount of floating debt which cannot now be ascertained			
In Oct. 1803 it consisted of Loans at Interest..	1515	0	0
Arrears of fee-farm rent and Interest due to the New Alms houses	151	2	0
	1666	2	0
Floating Debt.....	321	0	0
	1987	2	0
In Oct. 1815 it consisted of Loans at Interest..	1715	0	0
Arrears of fee-farm rents and Interest due to the New Alms Houses.....	522	2	0
	2237	2	0
Floating debt, about	399	0	0
	2636	2	0
On the 31 Dec. 1835 it consisted of Loans at Interest	4325	0	0
Floating debt exclusive of expenses incurred by the operation of the Municipal Reform Bill.	218	19	9
Expenses to this date of said bill	68	17	3
	4612	17	0
Other claims received after the report was published, about	82	8	4
	4695	5	4
Deduct debts due to Gorporation.....	28	0	8
	4667	4	8

Being the total ascertained after the actual payment of nearly the whole amount

The finance committee have in their report particularly distinguished the donations presented to the Borough; these principally came from the gentlemen who from time to time represented the Borough in parliament, though there are other smaller ones from private individuals; and they appear to have formed (during a certain æra, in the history of English boroughs,) no inconsiderable part of the revenue. Neither the erection of public buildings nor any extensive plans for repairs or improvements, were ever undertaken without such aids. They are alluded to in this place more particularly for the purpose of reciting the minutes of council relative to the liberal proposals of Mr. Estcourt, and Mr. Smith, for the liquidation of the debt. A committee had been appointed on the 19th June, 1812 "to collect and examine all Chamberlain's accounts, and all other accounts concerning the Chamber, and for taking account of the debt due from the Chamber, and of the probable means of discharging them." This committee was ordered to act immediately, and the day was fixed for their first meeting. On the 25th Sept. 1812, they made their report, which contained a declaration that the debts of the Corporation could not be less than £4700, and the following is the minute of Council on the 29th of the same month.

"Mr. Estcourt previous to entering on the business of the day, adverted to the report made by the Committee on the subject of the debts of this Corporation at the last Court of Common Coun-

ment-act, in those parts of the Borough at least, to which the powers of that act extended.

Such being the state of things, it appeared that the only means of removing the main difficulty, lay in the power given to sell Corporate property by the 94th section of the Municipal act, provided such sale were sanctioned by three of the Lords Commissioners of his Majesty's treasury.

Accordingly a careful estimate of the whole of the Borough property was forthwith set on foot: as the result of which, the Committee reported the annual value to let, to be £4769 and the nett annual value, after deducting all outgoings, (in which repairs and insurances were included) to be £4028.—The estimated present value of the reversions, and the reserved rents of the Leaseholds was given as £13112, besides that of the public buildings and the tolls. The deficiency of income was estimated at £172 per annum, or about the amount of the interest of the debt, in addition to the amount of an annual Borough-rate sufficient to cover the expenses formerly paid by the County, and charged upon the parishes as County-rates. The sum proposed to be raised by the sale was £7000, to be applied not only to the paying off of the debt, but also to the improvement of the markets.

A memorial to this effect was therefore forwarded to the Lords of the Treasury, by a Council which sat on the 23rd Dec. 1836 and this was followed by many other communications: but in the month of May 1837, the Council determined

on sending a deputation to wait on their Lordships, in consequence of their having expressed great unwillingness, to allow of such a manifest sacrifice as would be incurred, by the sale of reversions in fee whose average length of term was 70 years.

On the return of the deputation to Devizes, they dispatched another missive to the Lords of the Treasury, for the two-fold purpose of keeping them awake to the subject, and of urging the justice of the petition. In the September following, the Treasury allowed of sale to the amount of £4922 for the payment of debt due up to the 26th Dec. 1836, but refused the request to sell for the improvements of the market buildings.

An examination of the memorial and other communications both personal and in writing, which were made with his majesty's government on this subject shew that the most untiring exertions were made, both in the first step towards a sale, and in the subsequent labour of valuing the reversions of about 126 Leaseholds—obtaining the wishes of their proprietors—and selling the whole on favorable terms to the lessees, without competition. But that which it is most desirable to record, is the nature of the arguments used, for selling property of such a kind, and the proof given, that this decided course, was taken upon sound principles.

1st. It was contended that the reversionary value of the Borough property in lease, was four times as much as any future probable expenditure.

The extent of this property had previously been hidden from the public by the smallness of the aggregate amount of rents reserved on granting the leases; viz, £96 14*s.* 2*d.* and the practice which had so long prevailed of raising funds for current expenses, by selling the rents of future and remote periods.

2ndly. That this value had been encreased as the effect of the recent improvements of the Borough, by the investment of more than £14,000 by the lessees on their leaseholds; occasioning since the commencement of those improvements, an encreased revenue from fines, averaging four times as much as those of any former period.

3rdly. That the improvements were of a kind to which the borough property had been applied previous to the time when the inhabitants became rated for them. That they had occasioned the expenditure of more than £13,000, raised partly by subscription, partly by rates, and the remainder by loans which were still unpaid: and

Finally. That in the opinion of the Council, it was unjust that the Borough should be further taxed to pay either the principal or the interest of a debt of the late Corporation—the effect of which taxation could only be, to preserve a reversionary value in the Borough property, in which the present inhabitants could have no interest.

These arguments were accompanied with the assurance that it was the wish of the Council to abandon the system of receiving fines on renewals, and since their request has been complied with,

at least to an extent sufficient to pay off the debt; the future Councillors of the Borough will doubtless consider themselves bound in honour to act in accordance with that declaration.

A proposal had been made in the same year, to build a covered corn market, and 178 farmers and dealers united in requesting the Council to provide such a building. Notwithstanding however that this proposal was included in the statement of the intended improvements of the market buildings, and was eagerly pursued by all parties interested; when the condition imposed by the Treasury of raising by subscription £1400, or the one half of the sum necessary, was made known, and members of the Council had offered to subscribe £200 themselves; only a few of the agriculturists beyond their committee offered any assistance at all, and the plan was in consequence given up.

The Lords of the Treasury as already asserted, refused of sale for this purpose, but allowed the Council to raise a sufficient sum to reconstruct and enlarge the market buildings. This object so desirable for the agricultural interest of the neighbourhood, no less than for the restoration of an essential branch of income to the Borough, was carried into effect in the year 1838, and it now devolves on the inhabitants generally, to prosper an undertaking which called forth the manifestation in a few individuals, of no ordinary liberality and public spirit.

An additional remark or two on the expenses

incurred under the auspices of the present Town Council will bring this subject to a close.

The proceedings of this body being open to the inspection of all the burgesses, are presumed to be generally known; but on the occasion of granting the first Borough-rate in October 1838, it was deemed desirable, in consequence of misrepresentations publickly made, to publish an explicit view of their accounts from the 1st of January 1836, to 31st of August 1838, together with those of the last Chamberlain of the late Corporation; by which it appeared that the ordinary income from the Borough property had been sufficient during a space of two years and eight months not only to pay the ordinary expenses to which the late Corporation would have been liable (exclusive of interest) but also to pay £333 7*s.* 10*d.* of the additional expenses which the Municipal act and the grant of the Quarter-sessions had thrown upon the Borough-fund; whereas the ordinary income of the previous 5½ years (of nearly the same amount according to time) had proved insufficient to meet ordinary expenses (exclusive of interest) by £621 19*s*, 5*d.* and calculating the comparative length of the two periods, this was shewn to be an economy of the monies arising from the Borough property of at least £217, per annum. *

* It would be premature, on the basis merely of a few results, which become in a manner obsolete as each successive year rolls round, to enlarge to any extent on the present condition or future management of the Borough resources. The

Such are the observations which it has been deemed necessary and unavoidable to make on the following recital of the principal points contained in the Statement of the Council are not therefore given with that view, but simply as an explication of the circumstances in which that body stood, in consequence of the expenses attending the most important change which the Borough has ever experienced.

These new expenses were stated at £1104. 15*s*. 8*d*. against which the new income from Watch rates (previously levied by commissioners) and fines on summary convictions before the magistrates was given as £350. 1*s*. 6*d*. and if the sum of £333. 7*s*. 10*d*. the balance of the ordinary income be considered as paying a part of these new expenses the balance of the deficiency must be £421. 6*s*. 4*d*.

The extraordinary expenses amounted to £295, 12*s*. 4*d*. after deducting money received as a credit in account, to which sum was also added the interest of the *Old* Debt £446. 8*s*. 1*d*. as not belonging to the period, making together £742. 0*s*. 5*d*.

The amount of the sales of Freeholds, and the interest on those which remained unsettled on the 31st. August, was £4924. 8*s*. 10*d*.: but the Debt on the 31st. Dec. 1835 being only £4667. 4*s*. 8*d*. it appears that £257. 4*s*. 2*d*. of the expenses classed as extraordinary since 1835, and of the interest on the Debt was paid by the sale of property.

The balance shewn to be due at 31st, August, 1838, in consequence of the delay of the Borough Rate, appears therefore to have been created thus—

				£	*s*.	*d*.
By the accumulated balance of the Annual expenses				421	6	4
By the extraordinary expenses and Interest of the Debt.....	742	0	5			
Less by	257	4	2			
				484	16	3
				£906	2	7

financial affairs of the Borough. Beyond what has been already stated, it would be invidious to enlarge on the causes which led to so great a change in the actual composition of the Council. All parties must admit that some change was necessary; and if the existence of a Debt without the possession of means to pay even ordinary expenses, is to be regarded as an evil, and if the accounts on this subject have been put forth by upright men—none can have more cause to rejoice in this change than the members of the late Corporation. The objects which have recently been accomplished, were valuable and important to all parties: that it would have been next to impossible to accomplish them under the old system, few will dispute: and even those who may feel disposed "to cast a longing, lingering look behind" towards that system, must feel sensible that it had become worn out, and incapable of much longer continuance: while those who have promoted the success of the new, must admit in favour of their predecessors, the sanction of former precedents, and the influence of a variety of feelings incident to our common nature, which it is more easy to deprecate, than to shake off.

Of all topics, that of public accounts, while it is the most unsocial and uninviting, generally proves also the least satisfactory; remaining after each successive attack, in much the same condition as poor Peter Peebles's law suit, which notwithstanding the many learned efforts made to get at the bottom of the affair, proved totally

bottomless to every successive aspirant that ventured to try his hand at it. Nothing therefore could have induced the introduction of so much of this description of matter into a work intended to lighten a passing hour, but the conviction that some notice of the late proceedings would be absolutely required, in order to render it complete as a whole. Entertaining these views, the writer can feel no possible chagrin if this Chapter be found as dry an entertainment in the perusal as it has proved in the compilation: or indeed that the majority of his readers have when half through it, rejected the rest, exclaiming "Ohe jam satis."

CHAPTER VIII.

ECCLESIASTICAL HISTORY OF DEVIZES—MARTYRDOM OF WILLIAM PRIOR AND OF JOHN BENT—PETITION OF THOMAS HALL—INSTITUTIONS TO THE RECTORY—CHANTRIES—PRIORY OR HOSPITAL OF ST. JOHN—INSTITUTIONS TO PRIORY—DISPUTE WITH THE RECTOR OF THE PARISH.

THE rectory of Devizes comprizes the parish of St. John the Baptist and that of the Blessed Virgin Mary. These are wholly distinct one from the other as to all parochial purposes in general; each possessing a parish Church, but forming an united rectory, not in charge, in the archdeaconry and Diocese of Salisbury. The living is in the patronage of the Crown, and the incumbent is said to have been usually presented in accordance with the wishes and choice of the inhabitants of the town. The designation of the establishment is "The rectory of St. John the Baptist with the chapel of the Virgin Mary annexed. Its net annual revenue estimated on an average of three years ending on the 31st December 1831, is stated in the report of the ecclesiastical commissioners to be £518.

Of the two parishes thus embraced, that of St.

John, is by far the largest in extent, as it includes the rural district of 600 acres, called the Old Park. It is less populous than St. Mary's, but its superior wealth is indicated by the circumstance, that in the assessment for a county rate, though the population of St. Mary's in 1831 was 2,589 with 514 houses, and that of St. John was only 1,973 with 239 houses; yet the former was assessed at little more than half the rate levied on the latter; a result which accorded also with the proportion of the population to the houses, being six to a house or nearly so in St. John's, and only five in St. Mary's. Lately the inhabitants of the park claimed it to be extra parochial, but the Rector succeeded in establishing his right to the tithes there, as part of his parish.*

Whatever St. John's may now be termed, it is certain, that for many centuries, it was but a free chapel, and continued occasionally to be so called until the time of Edward the sixth; perhaps much later. Its origin as such, is involved in much the same obscurity as is the early history of every thing else connected with Devizes. The æra of the construction of the architectural fabric is a question discussed in another place.

Not the least mention is made of either Church or Chapel in Devizes in any of the ancient ecclesiastical surveys or taxations. There is no such allusion in Pope Nicholas's Taxation in 1291, nor in the Nona Roll of 1342, nor even in the general

* Southbroom or Devizes Green is under the episcopal jurisdiction of the Dean and Chapter by their Communar.

parliamentary survey of 26th Henry VIII. 1535; The scanty information which we happen to possess on the point, being principally derived from accidental notices occurring in inquisitions made relative to the state of the town, on two or three occasions, or from the Chapter records of the Diocese. From the omission of it in the last mentioned survey viz. that of Henry VIII. (sometimes called the king's book) the living is not in charge to pay first fruits and tenths, so that although called a rectory, a doubt has been suggested whether or not it was originally more than nominally so, unless indeed so constituted by act of parliament. Accordingly when the Bishop of Salisbury, in 1809 made his return to the Governors of Queen Anne's bounty, he certified that St. John's at Devizes was a rectory augmented and discharged, and that its yearly value was £132 arising from voluntary contributions, rent of cottages and augmentation.

The incumbent could certainly rejoice in the title of Rector as far back as 1325 but then he has also been called "Capellanus." In fact, considerable confusion of terms is observable among these early notices. We read of the "Two chapels" the parish of St. Mary with the chapel of St. John annexed, "the chapel of St. Mary within the parish of St. John" "The vicarage of St. Mary" and others. The annexation of one to the other, (no matter which,) is presumed to have taken place in the 14th Century, as the institution of 1398 is the first to mention it. The

presentative advowsons both of these and of the Church at Rowde used to be involved in the grant of the respective manors in which they existed; and this grant was invariably made either to the Lord of Devizes Castle or to the Queen. The following entries from different sources constitute nearly all the traces we now possess of their early history.

In the "*Abbreviatio Placitorum*" under the head "Hundred de Divisis" we read that the churches of Devizes were in the gift of William Furneaux through Prince John, and were worth 111½ marks.

In Henry III's reign *(Rotuli Hundredorum)* "The churches of St. John and St. Mary are in the gift of the Crown, and are worth per annum ten pounds: Henry of Winchester holds them."

The same authority in the reign of Edw. I. terms them chapels.

For the petition of Thomas de Yutflet relative to the tithes of the park, made in the following reign; see the municipal history of the town, in Chapter IX.

A certificate of 37th Henry VIII returns "the free chapel of St. John within the parish of the blessed Virgin in the Borough of Devizes, the founder said to be unknown, and that it possessed certain lands and tenements in the hand and disposition of the Mayor of the Borough. By another of the same date, a more full description appears of these premises; which seem to have been principally in Bishop's Cannings.

The certificate of 2nd Edward VI, describes it under a similar title; and from another of the same date as to charities is extracted the following entry. "Also the Borough of Devizes, a great town, wherein be but two parishes and but one parson, in which two parishes be the number of 900 people, which receive the blessed Communion, and no priests besides the parson, to help in the administration of the word of God and sacraments, saving the Chauntry priests. Wherefore the Mayor and Brethren of the said Borough desire the king's most honorable council to consider them accordingly."

A dispute which existed between the Rector of the parish and the Prior of the Hospital of St. John will be noticed in the account of that institution. Other than this, there is little to add on the subject of the ecclesiastical history of Devizes. Its inhabitants never bore a character for any high degree of sanctity—rather the reverse—though there is some reason to hope that the state of feeling which once gave rise to a rhyming ~~district~~ not greatly to the credit of the Town, is becoming as obsolete as the proverb itself. It does not appear that many of the inhabitants figured in the fire and faggot proceedings of the sixteenth century. The "Bishop's Register" at Salisbury, chronicles the names of only two natives of Devizes, as having rendered themselves conspicuous in those trying times, (at least they are the only ones which the writer has chanced to become acquainted with,) William Prior having embraced doctrines opposed to

the Roman tenets, was induced to recant them; but afterwards relapsing into heresy, was committed to the flames at Salisbury in the year 1507. Henry Shercot in 1517 having abjurated similar principles, received absolution accordingly, and of him we hear nothing more. Fox in his martyrology makes mention of one John Bent a tailor of Urchfont, who for denying the doctrine of transubstantiation, was burnt to the death in the market-place of Devizes, about the year 1533. Another sufferer here, was a farmer named John Maundrell, a native of the village of Rowde, who having been heard to speak slightingly of certain Romish rites, was arraigned before a conclave in Eddyngton Abbey, and condemned to walk about the market at Devizes, clad in a white sheet, and bearing a candle. This took place in Henry VIII's reign; after which he remained in peace in his house at Beckhampton, till the restoration of popery under Mary compelled him to seek safety in obscurity. But becoming bolder he repaired to Devizes to the house of a friend named Anthony Clee, to whom he announced his resolution of abandoning all further concealment of his principles. By this determination therefore, notwithstanding the entreaties of his friend, his subsequent conduct was immediately influenced, and his martyrdom finally accomplished. He was burnt with two other of his friends named Spicer and Coberly, on the plain between Salisbury and Wilton, 24 March, 1556.

1507 1533 1556

At that unsettled period, when the claims and pretensions of laymen and clergy were perpetually

by turns gaining the ascendancy, the affairs of most parish churches must have been in great disorder.—St. John's we find from the public records was bestowed on one occasion by Edward VI. on Richard Roberts to be held in fee, and sometimes its affairs appear to have been placed in the hands of trustees, as will be more fully seen by the following letter, being the petition of one Thomas Hall, to the bishop of Salisbury, written from Devizes in Queen Mary's time: the date of year is not given—(one of the burgesses returned for the Borough in 1555 was named Thomas Hall, it may therefore very probably be the same person.) The letter is as follows:—

"In most humble wise I commend me unto your good lordship whose prosperous state God preserve, most humbly beseeching your honor to stand good lord unto these my neighbours the bringers hereof, for that they have been much misused by certain men of this parish which have been the Churchwardens, to wit, John Smyth, Edward Haynes, James Francys, John Adlington, John Blandford and Edward Helear: these aforesaid persons having the custody and bearing of the parish church, stock plate, jewels and other ornaments, have sold and otherwise consumed from the church and parish by . . . . (*obliterated*) means, within ten years or thereabout, all these parcels following, that is,—One fair great cross with Mary and John, by estimation well worth thirty pounds.—One pair of candlesticks by estimation worth fifteen pounds.—Five Chalices

worth twenty pounds—Two censors worth twenty pounds—One great Pyx worth five pounds—two cruets worth forty shillings.—One sylvate worth four pounds—One shep with a spoon worth five pounds—Two great bells out of the Tower worth twenty five pounds, and as much brass and iron as go through to the worth of ten pounds, and the rent of the said Church which is by the year eight pound; all which goods and moneys is not at the present time in the Church stock, above five pounds that doth remain in their hands aforesaid; and thus have led the parish forth with fair words, promising to pay it at certain days; but nothing is brought forth, and now of late they have craftily used such days of meeting or recovering, when they are sure that the wealthiest and chiefest of the parish be from home, as they did now upon Monday being twelfth market at Salisbury, and did know all the chief of the chiefest of the parish (*who could these have been*) to be there, made a recovering among themselves, and so have shortened the debt, as they thought meet for their purpose. These things considered, I humbly beseech your honour to have regard unto these parishioners, for that they be most credible men. And of these men as beareth more charges in the town to the Queen, and other necessary charges, one of them more than all the company, before writing this matter, is before Master Chancellor in your Court; wherefore I humbly desire you to move Master Chancellor in it. The cause that I write so earnestly is that the parish hath a good

opinion in me, thinking that by your good lordship's favour towards me, that I may do them some pleasure therein. Thus being over much bold with your good lordship, I commit you and all yours to the everlasting God—Amen.

From The Devyses, this present Monday being the 15th day of January, by the hand of your poor humble servant,

THOMAS HALL.

The early books of the overseers and churchwardens of St. John are missing, but in those of St Mary, antecedent and subsequent to the Reformation it is interesting to observe, the opposite purposes to which the money was applied as different rulers dictated different faiths to their people. Beginning at 1499 for example, we meet with such objects of expense as the following, "paschall and font lights—priests' garments—making canopy on Corpus Christi day—boards for constructing a sepulchre; midnight watching of said sepulchre, a book of the visitation of our Lady, and so forth. But immediately after the Reformation "Thomas Maundrel" is paid "for making clean of our Lady" and others soon after are paid for "plucking down of the side altars" and the high altar. On the very year of Mary's ascension one Bartlett is employed to "set up the altar again; the Scriptures and ten commandments written on the wall of the church during the preceding reign are then ordered to be defaced, and the rood-loft is re-erected for the reception of the large cross and the images of Mary and Joseph. Then

follow in the old track, items "for timber for making Mary and Joseph" "for holy oil, holy water pots, rochets and green banners." Queen Elizabeth ascends, and down comes the rood-loft with Mary and Joseph; "the studds off the coats" and "the brandering about our Lady's coat" are all sold off, together with organ-pipes, bellows and candlesticks.

An abbreviated account of the institutions to the Rectory, taken from the registry at Salisbury will conclude this part of our subject.

1310 on the 11th of the Kalends of Nov. John de Aune was presented to the Church of Devizes by the lady Margaret, the Queen Dowager.

1312 6th Ides of August. Master Thomas de Yutflet or Yeongeslete was presented by Queen Margaret, on the resignation of the previous incumbent.

1349 May 29. Stephen West a deacon was presented by Philippa (Edward III's queen.)

1361. Sep. 3. The Bishop of Sarum admitted John de Botiler priest, presented by Queen Philippa to the Church of Devizes which was void by death.

1391. 22 May. At Sarum William Stoke, clerk, was presented by the lady Anne (Richard II's Queen)

1392. 17 May. Master Thomas Kynewyk, chaplain, was presented by the same Queen.

1398. 25 Nov. The Bishop admitted Master John Wyther to the "Church of St. John the Baptist in Devizes, with the chapel of St Mary in the same town, to the church of St John annexed" to which he had been presented by king Richard II. This as before observed contains the earliest notice of the annexation.

1400. 16. Oct. The same bishop admitted Master Andrew

Swyneford to the parish church of St. John void by resignation.

1402. 30 July. The rector of Devizes made an exchange with Henry Netherhaven the vicar of Bedminster—signed at Sherbourne.

1412. 7 March. The Bishop admitted Thomas de Tibbay, presented by Joan Queen of Henry IV.

1417. 26 March, Robert de Tibbay succeeds on the resignation of Thomas de Tibbay. Presentation by the same queen.

1420. John Almote on the presentation of Humphrey duke of Gloster succeeds Robert de Tibbay, in the "Church of Devizes," void by resignation.

1426. The rector of Devizes exchanges with William Goldsmith rector of Estwreth in the same Diocese.

1429. Dec. 28. William Goldsmith exchanges with Gilbert Crede rector of the church of Smerdon in the diocese of Canterbury.

1433. April, 11. John Wygrynne is presented by Humphrey duke of Gloster to the Church of Devizes, vacant by death.

1468. April 17. Henry Booste master of arts, succeeds, on the presentation of Elizabeth the queen of Edward 4th. Void by death.

1474. July, 16. John Smith, clk, is admitted, on the resignation of the former—same Patron.

1475. John Bishop of Rochester succeeds, presented by Elizabeth.

1479. He having resigned, the Bishop of Sarum by the consent of the lady Elizabeth, presents John Bishop of Tyne, ("*Tinensis Epis.*" probably one of the suffragan bishops) to the "Church of St. John," in the person of John Giles licentiate, who acts as his proctor, and a mandate is issued to Edward Godfrith vicar of Wilsford, and John Hulet of Devizes, chaplain, to induct either the said Bishop or his proctor accordingly.

1480. Jan. 28. Henry Boost B. D. Provost of the Queen's College of Eton, is admitted on the presentation of Queen Elizabeth, to the "Church of Devizes" void by death.

1502. May, 1. Edmund Chollerton succeeds to the rectory, void by the resignation of Henry Boost, same patron.

1526. August 31. John Crafford B. D. priest is presented by Katharine of Arragon, Henry 8's queen, on the death of Edmund Chollerton.

1533. June 14. William Dawson was admitted (absolutely) in the person of John Scott his proctor. Patron, Queen Katharine.

(1540. Circiter. Robert Peade was the Incumbent, though not mentioned in the Registry.)

1570. Queen Elizabeth presents Patrick Blare to the Church of St. John void by the death of John Beare.

1590. Circiter. Nicholas Stranguidge appears to have followed.

1602. The Queen presents John Davies, on the resignation of Nicholas Stranguidge.

1644. Nov. 9. John Prestwick, A. M. is admitted and instituted into the "Vicarage of St. Mary the Virgin."

(A deficiency occurs in the Registry from October, 1645, till June, 1660.)

1681. Nov. 23. The Bishop admitted James Dyer, clk. to the "Rectory of St. John with the Chapel of St. Mary annexed." Patron King Charles II.

(Robert Townsend was the next incumbent, though his name does not occur in the Registry.)

1721. Oct. 14. John Shergold, A. M. was admitted on the presentation of George I. The living void by death.

1738. Nov. 8. William Wells, A. M. was admitted on the presentation of George II. void by resignation.

1774. March 3. Edward Innes, A. M. succeeds on the presentation of George III. void by the death of William Wells.

1789. January 8. James Lediard is presented by the King on the death of Edward Innes.

1833. April 5. Edward James Phipps succeeds on the death of Mr. Lediard. Presentation by the Lord Chancellor.

CHANTRIES. The Churches of Devizes, like many others during the Catholic ages, possessed certain appendages, known by the name of Chantries.—These were endowments for one or more priests, bestowed on condition that they should sing masses, and perform other divine offices for the benefit of the soul of the founder, and also the souls of such others, as might be specified in the institution. The spots appropriated for this purpose were sometimes merely private altars erected in the side aisles or other parts of the Mother church, though not unfrequently, small chapels were partitioned off, or annexed to the body of the church. The traces of the former are now therefore seldom visible in protestant churches; the latter of course remain unchanged, as they constitute essential parts of the fabric.

The return of a commission made in the reign of Henry VIII. and dated 14 February, 37th of that reign contains an account of the revenues of the following chantries in Devizes.—First, a chantry founded by John Coventry in the parish church of St. Mary in the Borough of Devizes—worth after deducting reprizes £6 10*s*. 2*d*. per annum. Another chantry of the said John Coventry, founded in the same Church, worth deducting reprizes £14 10*s*. 11*d*. (These reprizes are rent resolute to the Queen issuing out of the said lands as being within her manor of Devizes, and the like rent resolute paid yearly for a tax called "Castle Ward" for such lands as were held in the park.) Thirdly, a chantry

founded by William Coventry, founded also in St. Mary's Church, reprizes to the manor and a Charity to the alms houses deducted, leaving £6 6*s.* 6*d.* per annum. Fourthly, a chantry within the chapel of St. John the Baptist, in the parish of St. Mary the Virgin in the said Borough—of the foundation of Richard Cardmaker, worth per annum £6 3*s.* 4*d.*—We learn the existence of a fifth from an inquisition of 2nd Edw. VI. describing it as founded by John Cardmaker within the parish Church of St. John,—It goes on to state that "the said John Cardmaker gave certain lands and tenements within the Borough of The Devizes unto the Mayor and brethren thereof and to their successors for ever, to the intent that they should find one honest priest to sing at the altar of St. Leonard within the said church for the soul of the said John Cardmaker for ever, and the same to have, for his yearly salary or stipend.—And the incumbent Thomas Hancock is a right honest man, well learned and right able to sustain a cure. Albeit a very poor man, and hath none other living but this salary; also he hath occupied himself in and about the preaching of God's word ever since he had the same chantry."

Soon after the Reformation, chantry endowments met with the fate of the larger monastic institutions, and went to the wall as relics of Catholic superstition. They were effectually abolished by Statute 1st Edward VI. c. 14, which declares all entry into the lands or other revenues in terms of the foundation, unlawful; and confiscates the

property to the king with some exceptions in favour of universities and other seminaries. In the 2nd year of Mary and Philip—the king and queen granted the lands and messuages belonging to the chantries of the two Coventrys to two persons of the names of William and Roger Allen to hold in fee. At this period also, our learned friend above, Thomas Hancock on losing his post as incumbent of Cardmaker's chantry was charged with a yearly revenue of £6. Mr. Britton mentions this last circumstance in his Wiltshire, but he states that Hancock was the incumbent of William Coventry's chantry. This arose from his supposing that chantry to be one and the same with the chapel constructed in the north east angle of St. John's church ; but the Coventry-chantries appear to have been all in St. Mary's, and moreover Mr. Phipps has disclosed an inscription against the east window of the said chapel which seems to point out one Richard Lamb as the founder. Three of these sort of additions have been made to the body of St. John's church, but we have no decisive proof that they were ever designed as chantries, though it is highly presumable that such was the case.

PRIORIES. It now remains to speak of the eleemosynary institutions of Devizes. These were only two in number being Priories or Hospitals, which Bishop Tanner in his "Notitia Monastica" describes as having been situated in or near St.

John's churchyard in his own times. One of them he adds was founded for leprous persons A.D. 1207, and cites a closs roll, directing the Sheriff of the County to allow them to hold a fair; and a patent one which institutes Nicholas Coventry chaplain, to the wardenship of the said Hospital in the time of Hen. IV.

This description of establishment was conducted by a Master bearing the title of Prior, whose assistants were a Chaplain and a certain number of monks; and the foundations like those of the larger monastic corporations, were made capable of receiving gifts and grants by patent. Though Tanner mentions two as having existed in Devizes we meet with the specific mention of only one, in the institutions to the government thereof, and the other fragments of its history which have reached us; a circumstance that induces the supposition that unless the other was one of the numerous class termed Alien-priories, it must have been erected at a comparatively recent date, and possessed of no foundation at all. No vestige now remains of either, unless it exist in the name of a messuage in the neighbourhood of Devizes, still called Spital-croft.

Concerning the one founded for lepers, the first historical notice we have of it is contained in the closs letter mentioned above, dated 1207, and addressed by King John to the Sheriff, thus "Know that we have granted to the lepers of Devizes, that they shall have at their house, a fair year by year, to continue during two days, viz. the vigil

of the blessed Dionysius and the day following, so that it may not interfere with the neighbouring fairs, and we command you to publish this throughout your bailiwick. Witness James of Potterne dated at Devizes.

1314. 8th Ides of May. The Mayor and burgesses of Devizes presented John de Wyt of Potterne, priest, to the Priory of the Hospital of St. John at Devizes, the same being vacant and the presentation belonging to them.

1321. 4th Nones of Sept. At Sonnyng, the Mayor and burgesses of Devizes presented William le Trappe, Priest, to the priory of St. John.

1336. 2nd Ides of Sept. at Cherdstock, Queen Phillippa and king Edward presented Elias de Ely, clerk to the Wardenship of the Hospital.

1399. Henry IV. presented Nicholas Coventry, chaplain, to the government of the hospital of St. John, "in the king's town of Vyze."

1468. 28 April. At Ramsbury, the Bishop of Sarum admitted Thomas Cleve priest, to the office, to which he had been presented by John Raynold the elder, Mayor of the Borough.

1513. 27 May. Bishop Audley admitted Mr. Thomas Wilkynson, chaplain, and he, most probably was the last incumbent, bearing the title of Prior.

In the episcopal registry at Salisbury is preserved a document bearing date 1325 and termed "an ordination of the Bishop for the Rector and Prior of Devizes" It is an instrument drawn up for the adjustment of various disputes previously existing between the Rector of the parish church and the Prior and Brethren of the Hospital as to the fees received at the celebration of masses; and sets forth to all sons of holy mother Church, that whereas William called Trapp, Prior of St.

John's by virtue of certain apostolic receipts, had lodged sundry complaints against the Rector of the church of Devizes;—And that in consequence thereof, the Prior of Bradenstock and the Abbot of Stanley as his commissary having been delegated by the apostolic see, to cite the parties before them; the said Prior had on that occasion delivered certain propositions delivered to writing, reciting a list of benefits, of the which he and his precursors had long lived in the peaceful possession, but of which the Rector had latterly evinced an anxiety to claim the lion's share; inducing in consequence, sundry passages between them, not calculated on the whole to draw the bonds of union unnecessarily tight—That now however the mutual desire of peace and good order, inducing them "highly and lowly to submit themselves unto the decree and ordination of the Abbot and Prior aforesaid" they were willing to bind themselves to the observance of a variety of regulations which are therein set down. An abridgement of them is as follows.

"In the case of funerals or burials and anniversaries of whatsoever persons deceased, after the same Rector and his parish priest . . . . . for the deceased and present bodies, or like anniversaries; it shall be lawful for the said Prior, after the readings of the gospel and oblations made in the masses aforesaid, to celebrate the third mass in the parish church; and the moiety of the oblations at the same mass, by whatsoever persons given, without fraud or design, to receive and have. But the money or bequests for any particular mass-

es, to wit, in honor of any saint, or for any person living or dead, or for other divine offices by him celebrated, or by any one who ought to do duty in the parish church, and which to the Rector and parish priest belong of common right, or which are due for tithes, and accustomed to be paid in their name, and in no manner by way of donation or legacy, or in any other way under any colour whatsoever, shall receive, unless perchance on the same day when such monies to him are offered for masses and celebrations, the Rector or his parish priest for similar celebrations on the same day being present, hath received; on which said day, the Prior, before the celebration so made hath been fully satisfied: in which case, it shall be lawful for the Prior so to do, but without prejudice to the mother church, as to which money or oblations the said Rector or his parish priest shall certify if required the Prior hereupon.

And in days for feasts and holidays and all others except those above mentioned, it shall be lawful for the said Prior by himself, or by any other person of his house, to celebrate divine offices and cause the bells to be rung, but without prejudice to the Mother-Church, viz. that the oblations whatsoever, made to him or to any other person celebrating on such days in his house, by devotion of those hearing masses, as well that which, is offered by the Parishioners of the Church in the like masses, or on a sudden offered, he do restore to the Rector; in return for which, he the Rector is bound to behave himself courteously; on which

said days, every one willing to attend from devotion to hear the divine offices or to pray, without prejudice to the parish Church, shall be freely admitted; but the oblation if any there be, on the same days, to wit, on simple holidays and profeasts from new-comers or strangers, shall be restored to the Rector as before stated, though ostensibly such comers shall be beholden to the Prior in his character of a religious person, though in his own proper person he shall not assume any thing, but content him with the common vestments after the manner of secular priests religiously, though not after the regular manner in his own house; he shall live sparingly and decently, and shall pay all manner tythes great and small of the lands, curtilages, and gardens within the aforesaid parish being as the other parishioners thereof.

And the said Prior, as to sepulture only, if living elsewhere, shall not elect; but all and singular other persons, as well Familiars as others dwelling in his house, with all things touching the parochial rights, shall be regarded truly and perpetually as parishioners of the Church of Devizes, and no parishioners shall be admitted to hear divine offices in the aforesaid Priory on the Sundays and greater holidays, nor to receive sacraments or sacramentals, unless with the licence of the Rector or his parish priest. Nor in cases of danger of death, shall he the Prior minister unto them, contrary to the form underwritten, nor on the same days shall he celebrate mass for them publickly or cause the bells to be rung; but if he will he

his parish priest shall cause the Prior to be duly warned on the day preceding."

To these articles the parties took their mutual oaths, and the Bishop appended his seal in the Chapel of Potterne. February, 1325. If the reader has reached the termination of this labyrinth by any other route than that of going fairly through it, he may console himself with the reflection that as we hear nothing further of this dispute the pacific intentions of the good bishop were no doubt fully realized in the gentle bearing of his children thereafter; and charitably conclude that Rector, Prior, and Brethren learned to better purpose than they had hitherto done, the arts of peace and good neighbourhood, before the shadows of the Mother Church reposed alike on their common ashes.

CHAPTER IX.

ANCIENT TAXES AND TALLIAGES—LIST OF MISCELLANEOUS NOTICES RELATIVE TO THE TOWN—ANTIQUITIES DISCOVERED HERE—WILLIAM SALTER'S WILL — CHARITIES — GUILD-MERCHANT—LIST OF REPRESENTATIVES IN PARLIAMENT.

One of the many grievous appendages to the system of feodal tenure, was the power exercised by our early Norman kings, of exacting from the landholders and from communities, all sorts of arbitrary contributions, under the names of aids, fines, talliages, primer-seisins, escheats and a variety of others. The evil was nominally done away with by Edward I. who abolished all taxes levied without the consent of the great men and commons in parliament. But this fundamental law was shamefully evaded by succeeding monarchs whose exactions were none the less palatable, that they bore the titles of loans, subsidies, or benevolences. The glorious petition of right of 3rd. Charles I. was the means of sweeping them at last from the land. A few specimens of these early payments made in Devizes are here given from Madox's History of the Exchequer.

19th Henry II. Under the head of Wardships and Escheats, Guido the Dean accounts for forty shillings received of the men of Devizes.

23rd Henry II. A talliage was assessed on the king's demesnes in Wiltshire, and paid under the name of a "gift"—Devizes paid £8. 12. 10.

5th Richard I. During this year the first tax was levied on the kingdom as an aid to the redemption of King Richard then in captivity—The Borough of Devizes paid 3 marks: and on the occasion of the second tax for that purpose 100 shillings and 8 pence.

10th Richard I. Another general talliage—Devizes paid 13 marks.

1st. John. Another talliage. The return states that Devizes is in arrearage by 5 marks.

2nd. John. The king confirms the Charter of privileges granted to the Burgesses of Devizes by his father Hen. II. on the payment of a fine of 12 marks and one palfrey.

20th. Henry III. At a general talliage, this year, the town pays 100 shillings.

30th Henry III. The town is in arrearage by 12 marks.

The following notices relating to the Borough or its inhabitants are of a more miscellaneous character, and are derived from a variety of sources. It was necessary thus to combine a number of in-

congruous events and arrange them chronologically, in order to avoid the necessity of travelling too often over the same ground; which the reader will readily conceive, is a matter of some difficulty to escape in a work like the present.

Hen. II. The king grants to Richard Ruffe (inter alia) the forest of Seend, and the houses which he holds in Devizes. Confirmed in 1st Rich. I. and 5th John, confirmed to Thomas, nephew of the said Richard—(*Closs Rolls.*) 1190 1214

14th John. At a levy raised this year to aid the war against Prince Louis, the town furnished 10 men. (*Writs for Mil. Ser.*) 1199

6th Henry III. William Brewer constable of the castle of Devizes is commanded to permit the men of Richard Bishop of Sarum to remain free from customs or tolls in the town of Devizes. T. R. (*Closs rolls m.* 18.) 1222

7th Henry III. The King to the Sheriff of Wilts. Know that we will that a fair be held at Devizes, once a year, viz. on the vigil, the day and the morrow of St. John the Baptist for ever.—And we command you to publish the same throughout your bailiwick. Teste Hubert de Burgh, at Calne.—(*Closs Rolls. m.* 15.) This privilege was obtained by Richard Poore, Bishop of Salisbury. 1223

3rd. Edward I, In the early part of this reign, Inquisitions were held, and the returns made, known by the name of the Rotuli Hundredorum, to which we have already had recourse. Under the head of "Burgus de Divisis" are a variety of 1275

queries put to the Jury, some of whose replies are as follows:

They return—That the king holds the Borough of Devizes, of ancient royal demesne, together with the advowsons of two chapels worth £10.

That the Borough with the rents arising from the herbage and pannage of two parks, with two gardens, the rent of a little park and meadow, and the tolls arising from the market and from hawkers, makes a return to the king of £29. 2s. 4d. Another jury specifies these returns thus. The tolls of the market £9. 11s. perquisites of the Court £16. and from two bedells (*bailiffs of the forest*) 100 shillings.

That the Borough has the return of burgesses or of briefs, (*brium.*)

Concerning lands held of ancient royal demesne they declare—That Walter Fayrenture who had held of the king a certain burgage *in capite*, sold it to Thomas Revell, and that the abbot of Stanley now holds it.

Who claims to have the return of briefs? That the constable of Devizes (Castle) has the return, and the burgesses playne much of unlawful destraints. Item, the king has here a gallows (*criminal court,*) the rents arising from bread and venison, with other things that to the crown pertain (*doubtful*)

Concerning concessions granted to individuals, which have tended to impede the course of justice—That the burgesses of Devizes have a privilege granted by the king's predecessor, that no

market should be held within seven miles *(leucas)* of the Borough. That nevertheless Richard de Rokell had instituted one to be holden in the manor of Steeple-Lavington on the day preceding the market day of Devizes, to the detriment of the latter, as shewn by the fact that the tolls though formerly amounting to £16. were now but £12.

Concerning encroachments made upon the king —That certain stalls had been erected in the market-place by Earl Warwick and Phillip Bassett formerly constables of the Castle, and being placed at a reduced rent, tended to the injury of the said market.

The following names are those of the Justices of the Borough, constituting one of these juries— viz. William Gray, Henry Procar, Geoffrey Bolhard, Robert Gray, Philip Goring, Nicholas Mymhym, Hugh Honan, William Estmond, Geoffrey Edward, William Godio, John Tynctor, John Clark.

10th Edw. 1, At a muster at Rhudlan in Wales this year, William of The Devizes performed military service due from the Abbot of Malmsbury, for lands held by him. (*Writs for Mil. Ser.*) During the same year, he performed the office for John de la Mare also.

10th Edw. I. The King caused Ralph de Sandwich constable of the Castle, to convert the meadows in the Park of Devizes into pasture land for the support of the King's deer and other animals.

8th Edw. II. Thomas de Yutflet parson of the church at Devizes, complains to the king in

parliament—That his predecessors had the tenth part of the hay in the park: which meadow has lately been turned into pasture, and sold to divers persons for the feeding of their beasts. From which he claims redress. *Response.* John de Foxle, Master John Waleweyn and William de Harden, or two of them, are ordered to make inquisition as to whether or not the king when the park was in his hands, was in the habit of giving away the tenth part, and in what shape or form. Also, to enquire, that if the said meadow has been changed—When, and by whom, and to what extent, and what that tenth part is worth. The inquisition to be made in the presence of the parson and reported to the king. No report—(*Parliamentary Rolls.*)

4th Edw. III. On the same rolls is a petition
331 from the Burgesses of Devizes, praying for the restitution of their former privileges. In the original Norman French it reads thus—"A notre seigneur le roi, et a son conseil,—Prient les bons gentz de la ville de Devisis qu'il pleise de sa grace graunter a eaux l'avaunt dit ville pur le aunciene estent, come ils solent avoir en temps be bone Roi Edward; car ils sount enpoveritz et destrutz par fermours et estraungers qui fount execucion par bailiffs nient.conuz, la ou ils duissent avoir eleccion de leur mesmes. D'altre parte, ils duissent avoir playne returne du Briefs lequele est ore par fermours detenu, a graunt damage de eaux, parquoy ils prient, pur Dieu, qu'ils puissent avoir les usages et custumes sicome ils averunt en temps passé."

Response.—"Soit ceste peticion mande en Chauncelrie, et illocqes monstrent comeut ils soleient tenir la ville, et droit leur soit fait."

20th Edw. III. On the occasion of a terrible tempest which destroyed the King's fleet at Portsmouth this year, writs were issued to the various cities and towns to equip and send an appointed number of horsemen to meet the king at Portsmouth for the defence of the realm. The Mayor and Burgesses of Devizes are to furnish four men at arms. * (*Writs for Mil. Ser.*) 1347

24th Edw. III. On the occasion of another muster which took place at Sandwich in Sussex. Devizes sent one man at arms. 1351

15th Rich. II. John Waltham Bishop of Sarum obtained a grant of free warren at Potterne, and at the same time a confirmation of the privilege of holding the fair at Southbroom "without the town of Devizes." (*Cal Chart.*) 1392

1510. The Borough representations were this year (2nd of Henry VIII.) chosen in the County-Court. 1510

Circiter, 1573. Among proceedings in Chancery of the reign of Elizabeth, occurs a case in which the Mayor and Burgesses of Devizes are plaintiffs, and Henry Grubb defendant. The object of the suit was a bill to stay proceedings at law; the bill respected a claim made by Defen- 1573

* The numbers mentioned in the other writs to Wiltshire are by way of comparison here subjoined. Salisbury was to send 30—Malmsbury 5—Marlborough 4—Amesbury 2—Chippenham 2—Bradford 2.—

dant of wages from the town of Devizes for his services in parliament, notwithstanding his promise to the contrary.

35th Elizabeth 1593. The warlike part of the feodal system may be said to have been abolished so soon as personal service was dispensed with for a pecuniary commutation. Afterwards came the assize of arms (not to leave the kingdom without defence.) Then commissions of array, and by degrees under the Tudors, the system of lieutenantcy. On the Chamberlain's books of the above date we accordingly meet with a notice of the order of a "taxation for armour" arriving at Devizes, wherein are given the names of those who bore arms in the town. In lists which are given on the arrival of similar orders in the years 1595—1599 and 1608 appear also the names of such others of the townspeople as were compelled to equip them. For instance, about 20 persons are appointed to 7 soldiers; two, three, or four having the charge of one, whom they are to arm with weapons, pay for his training, and keep his corslet cleansed and scoured. In one instance, another individual still, has to furnish his supplies.

1593

These soldiers are divided into 4 companies of five or six men each, and are distinguished as, 1st. those who bore "Corsletts and bills"—2nd. "Corsletts and Pikes"—3rd. "Calivers"—and 4th. "Archers." In the last instance which occurs, viz. in 1608, the archers are exchanged for musketeers. The statutes of armour were repealed by James I.

Among the state-papers in the Library of the British Museum is preserved an interesting collection of letters and other documents relating to the mustering of the trained-bands, and some few other matters, at the time that Edward Earl of Hertford was Lieutenant of the County during the early part of James 1's reign. The periodical arrangements for the reviewing of the troops appeared to have been entered into in this town, if we may draw such a conclusion from the only instance which occurs in the Collection. The deputy lieutenants of the county at that time were Sir Thomas George—Sir James Mervin—Sir Walter Long, and Sir William Eyre. One of the troops was called "the horse-troop of the Clergy of the county" and by a letter dated 31st. August 1609, Lord Hertford commits to the Bishop of Sarum the nomination of its Captain. In the same collection there are two or three long letters from the King on the subject of the growth of silk-worms in Wiltshire, a project which James appears to have taken up with considerable warmth. He directs Hertford as an influential person in the County to persuade the Gentry (but not the poor) at Quarter sessions or other occasions of public meeting, to grow Mulberry trees throughout the County. The young plants were to be raised at Salisbury, and sold in the ensuing spring to such as would purchase them, at the rate of three farthings the plant, or six shillings the hundred (containing five score.)

1622. The Governors and Company of the Plan-

tation of Virginia having drawn and finished a lottery in the Borough, left £40. to be lent out to poor tradesmen dwelling therein.

1625-6. Feb. 28th. In the House of Commons, it is—" Ordered, that a writ shall issue for a new choice of a Burgess for the Borough of Vizes, in the room of Sir Henry Lee, called by writ to the upper house sithence his return hither."

1645. The resolutions passed in the House in this and the following year relative to the slighting of the Castle, and the restitution to the inhabitants of their goods contained in it, have already been recited in the narrative of those events.

1658. In the " Catalogue of the Lords, Knights, and Gentlemen who compounded for their estates under Cromwell's administration, occur the names of two Gentlemen of Devizes viz.

Richard Pierce, amerced in £426.
Michæl Tidcombe—in . . £217.

"This tax, called the tenth-penny, was imposed upon all those who were considered hostile to the Commonwealth, and obstinately attached to the cause of Charles II: not as has been stated by some historians, the tenth part of a man's capital and property, but the tenth of the annual income it produced. It was further directed that none should be subjected to it who did not possess an estate of one hundred pounds a year in land, or a personal property to the value of fifteen hundred pounds." (*See Godwin's Commonwealth.*)

1660. April 27. In the House of Commons Mr. Turner reports from the Committee for pri-

vileges and elections, touching the double return from the Borough of Devizes.—That William Lewis and Robert Aldworth Esquires are returned by the Mayor under the common seal, and William Lewis and John Norden by the Burgesses only. The opinion of the Committee is that Robert Aldworth Esq. ought to sit in the house until the merits of the cause touching the said double return be determined. Resolved accordingly to that effect.

1678-9 March 22. A petition from the Common Councilmen and inhabitants of the Borough was read in the House, complaining of undue and illegal practises used by the Mayor of Devizes in electing and returning Sir Edward Bayntun and Sir Walter Earnly to serve in parliament, in injury of the petitioners. Resolved—That the said petition be referred to the consideration of the Committee of privileges and elections. No report.

1680 Nov. 1. A petition of Sir Walter Earnly and George Johnson Esq. was read. No report.

1680-1. March 24. A petition of Sir Edward Hungerford and John Eyles Esq. touching the election for the Borough, presented. Ordered—That the said petition be referred as above. No report.

1685. During this year, which was the first of James II., that monarch paid the town a visit, and remained here a fortnight. For certain particulars connected with that event, see the last chapter of this work.

It may not be amiss in this place, for the pur-

pose of affording in some measure a key to the irregularities which characterized elections at this period, to add a short extract from Burnet's account of James's first parliament.

"Complaints came up from all parts of England of the injustice and violence used in Elections, beyond what had ever been practised in former times. And this was so universal over the whole nation, that no corner of it was neglected. In the new charters that had been granted, the election of the members had been taken out of the hands of the inhabitants and restrained to the corporation men, all those being left out who were not acceptable at court. In some Boroughs they could not find a number of men to be depended upon, so the neighbouring gentlemen were made the Corporation men, and in some of these, persons of other counties, not so much as known in the Borough, were named. This was practised in the most avowed manner in Cornwall by the Earl of Bath, who to secure himself the Groom of the Stole's place which he held all King Charles' time, put the officers of the Guards' names in almost all the Charters of that County." "The Boroughs of England saw their privileges now wrested out of their hands, and that their elections which had made them so considerable before, were hereafter to be made as the court should direct. So that from henceforth, little regard would be had to them, and the usual practises in courting, or rather in corrupting them, would be no longer pursued." "The Duke of

Monmouth's agents made great use of this. It was resolved to bring up petitions against some elections that were so indecently managed that it seemed scarce possible to excuse them; but these were to be judged by a majority of men who knew their own elections to be so faulty, that to secure themselves, they would justify the rest."

1688-9 Jan. 22. A petition of Sir John Eyles and William Trenchard was read, complaining of an undue return of burgesses for the Borough. Ordered to be referred as above.

March 21. Colonel Birch reports from the Committee to whom the matter had been referred, That the state of the fact appeared as followeth.

Upon the petition of Sir John Eyles and William Trenchard against the return of the sitting members, Sir William Pinsent Bart. and Walter Grubb Esq.—That the question was whether the Mayor and the Burgesses as a select number had the right of Election, or all the free Burgesses of the Borough.—That the petitioner's counsel insisted that the Borough was a Borough by prescription, but not a Corporation by prescription, and that all the Burgesses had a right to elect.—And produced a Charter of 15th Edw. III, being a grant to the "Burgesses and their successors" and an Indenture of a return of 2nd Hen V. of Burgesses by the Sheriff of the County, as chosen for the Community of the Borough, and another Indenture of 1st Mary, wherein it was said that "The Mayor *pro se et Communitate Burgi*" had returned the Burgesses.—Also an Indenture of a return

of 31st Charles II made by the Mayor and Burgesses in general.—And the counsel said, They had copies of other returns between these times, but that the record could not be found, to examine them therewith.

That the petitoners also produced another witness who said that a Poll was now demanded by the Petitioners for all the Burgesses, and was denied, and upon cross examination said.—He had lived near 60 years in the Town, and known several elections, but none that was by the popularity, but one about eight years since: when Sir Giles Hungerford and Sir John Eyles (one of the now petitioners) were returned by that choice, against Sir Walter Earnly and George Johnson Esq. who were chosen by the select members. And the petitioners did not make out that any other election but that, had been by the Populacy or Burgesses in general.

For the sitting members it was insisted that Devizes was a Corporation by prescription, and that the right of Election was in the Mayor and Burgesses as a select number.—And produced returns of 43rd Eliz.—1st Jas I—21st Jas I.—1st Charles I, by the Mayor and Burgesses—And that they said they had several others—Also a Charter of 3rd Jas. I, wherein it was recited that the Mayor and Burgesses had time out of mind, divers immunities franchises and privileges; and therefore it was insisted that it was a Corporation by prescription.

And as to the election of 1679 that it proved that Sir Walter Earnly and Mr Johnson petitioned

against it, but that it was not decided.— And then the now petitioner Sir John Eyles gave to the then Mayor (one Whatton) a bond of £2.000 dated 15 Sep. 1679 (which was proved by that Mayor himself) to save him harmless against all damages by reason of his making that return of Sir Giles Hungerford and Sir John Eyles. And that he said further, that he was fearful to make that return by the election of the Burgesses in general; it having been never done before that he knew; and therefore being pressed to make, took the Bond.

And that thereupon the Committee came to two resolves, as follows:—Resolved, that it is the opinion of this committee that the right of election is in the Mayor and a select number of burgesses only—and 2ndly—That it is their opinion that SirWilliam Pinsent, Bart. and Walter Grubb, Esq. are duly elected,—With both which the House agreed.

1689, March 24. A petition of the burgesses of the Borough was read, thereby setting forth.— That at the election of Burgesses for the said Borough on the seventeenth of March last, a poll was taken, whereat 59 of the burgesses and no more, appeared either at the election or poll, of which Walter Grubb Esq., had 55 voices, John Methuen Esq., 36, and Sir Thomas Fowles, 23. whereby the two former ought to have been returned by indenture under the common seal.— Yet notwithstanding Richard Hillier the present Mayor took upon himself privately, without the

common seal (according to constant usage) but by his own seal to make a return as the act and deed of the burgesses: and to countenance such his proceedings, adjourned the poll, and caused eight persons who were elected burgesses by virtue of the new Charter of the late King James, and were not living in the town, and had no right of election, to be polled for the said Sir Thomas Fowles; and notwithstanding the majority were for Mr. Grubb and Mr. Methuen, yet the said Mayor hath returned Sir Thomas Fowles, though unduly elected—And praying that the merits of the election may be examined, and the right of Election preserved as it ought to be.—Ordered to be referred, &c.

1689-90 March 27. Mr John Methuen's petition to the same effect was read.—Ordered to be referred, &c.

March 29. Mr. Gray reports from the Committee, — That upon inspection of the precept, it was found to be directed by the Sheriff to the "Mayor of Devizes," and that therefore Sir Thomas Fowles and Walter Grubb Esq., are duly returned.—To which the house agreed, and the Clerk being at the door, was called in, and at the table he amended the return by taking off from the file the indenture of the return of Mr. Grubb and Mr. Methuen.

October 6. Mr. Methuen's petition is again read, and the matter again referred to the Committee of privileges and elections.

December 22. Mr. Gray reports—That the

right of election appears to be in the free burgesses of The Devizes, and there are in The Devizes a Mayor, Recorder, 12 major capital Burgesses and 24 minor capital Burgesses, as they are called, which are in the nature of a common-council.

Richard Hope on behalf of the petitioners, said he was Clerk of the Court of Record there, in nature of a town Clerk, and took the poll with the consent of the Mayor; that upon the poll the numbers were thus:—

For Sir Thomas Fowles 23
For Mr. Methuen . . 36

On the behalf of the sitting member—Dauntsey Brouncker said he took the poll by order of Sir Thomas Fowles, and with the consent of the Mayor; and that upon his poll the numbers were

For Sir Thomas Fowles 31
For Mr. Methuen . . . 36

That afterwards Sir Thomas Fowles and Mr. Methuen came to the Mayor's and agreed that the poll should be scrutinized by two of the Council as they call it and two gentlemen.—And the not taking the oaths appointed to be taken by the officers before the first of August, was admitted to be a good exception; Mr. Methuen being present and not opposing it. That upon the scrutiny it appeared that nine of those who voted for Mr. Methuen had not taken the oaths, and five others had not signed the Declaration of the Test, whereas only three of Sir Thomas's voters had not taken the oaths and one only had not subscribed to the Declaration.

Charles Danvers Recorder of the Borough for twenty years past, said—That the new burgesses used to take the oath according to the 13th Charles I, and if not, were put out; and also used to take the Test; and that in particular Sir John Eyles (for instance) after he had taken the oath of a freeman, was put out for not taking of the other oaths.

John Bolles said, That after 36 had polled for Mr. Methuen, and 23 for Sir Thomas Fowles, the Town Clerk said there was an end to the poll, but the Mayor told him, "that was not his business" Whereupon there was a great tumult, which occasioned the Town-clerk not to go on. But afterwards eight more polled for Sir Thomas.

Francis Paradise, John Rogers and Francis Paradise Jun. testified that the Recorder had declared it his opinion that the free burgesses were not obliged to take the oaths; but the Recorder rebutted the charge before the Committee.

Francis Sadler said,—The Recorder had ordered the sergeant to go to all the free burgesses and acquaint them, they must come in and take the oaths or they would be put out.—And Richard Bundy said that the Quarter Sessions were adjourned several times for swearing free-Burgesses. —Francis Paradise said that the five objected against, for not subscribing the Declaration, had taken the oaths and their money; but not being able to write, had desired that their hands might be put to the Declaration.

Upon the whole matter, the Committee came

to the resolution that Sir Thomas Fowles' election ought to stand; but the House negatived this decision, the Yeas being 149.—The Noes 157. Upon which it was resolved that the return should be again amended in favour of Mr. Methuen.

1695. December 7. A petition of Sir Francis Child, knt.. was presented to the house and read, setting forth that Sir Edw. Earnly and the petitioner, being elected Burgesses to serve in parliament ought to have been returned; but that by the undue practices of John Methuen Esq. that gentleman is returned with Sir Edw. Earnly, to the petitioner's injury—No report.

1697. The Borough sends an address of congratulation to King William III. on his safe return to England after concluding the treaty of Ryswick.*

1696. The clothiers and others of the Town petition the House complaining of the scarcity of coined money—Referred to Committee on coinage bill.

1697. Another petition of the inhabitants sets

* This treaty concluded the long war with Louis 14th, and never had a people more reason to congratulate, if not their gracious sovereign, at least themselves, at the arrival of a peace which had it been delayed much longer, could hardly have brought a blessing with it, so utterly were wasted as well their patience as their resources. Smollet observes on this subject that "though William's ambition and revenge remained unsatisfied, yet he reaped the solid advantage of seeing himself firmly established on the English throne" and the encroachments of the French king put a stop to—The English nation no doubt felt much obliged to him.

forth that many thousand makers of yarn are thrown out of employment, owing to the great growth of wool-broggers or Ingrossers of wool.

1699. The mayor, aldermen, and other inhabitants oppose the bill for making the Avon navigable between Bath and Bristol.

1701. The French king having countenanced the claims of the pretended Prince of Wales as he was styled; The mayor, recorder, and burgesses of Devizes, forthwith send an address to the crown, declaring their readiness to peril their lives in behalf of the reigning sovereign.

1702. At a court of common council this year in consideration that the well-water of the Borough was not considered sufficiently good, and an offer being made by one Mr. Yarnold to convey better into the town through the medium of pipes, it was voted needful that a lease and liberty should be granted for the laying of pipes in such of the waste parts of the Borough, as should be deemed desirable, for a term not exceeding 99 years—No decided step was taken.

1706-7 Jan. 8. In the house of Commons a petition of Thomas Webb sergeant at law, was read setting forth that the petitioner was duly chosen a burgess to serve for the Borough in the room of John Methuen Esq. deceased. But Josiah Diston Esq. prevailed upon the high sheriff to deliver the precept to one Richard Hope gentleman, who took upon him to act at the election as mayor, though he was not; and hath returned the said Mr. Diston, in wrong to the petitioner—Ordered to be

referred to the Committee, &c. The petitioner withdrew his claim on the 29th.

1708. November 27. A petition of Thomas Webb Esq. on the behalf of himself and others being the majority of the Common Council of the Borough, was read, setting forth that a writ issuing to the High Sheriff for choosing two members, Josiah Diston a Blackwell-Hall factor prevailed upon Robert Payne gent. the under Sheriff, to deliver his precept to John Eyles Esq. as member of the said Borough (although Mr. Eyles was not Mayor nor so much as a member of the Body Corporate, there being at that time no Mayor) who at the instigation of the said Mr. Diston undertook and did execute the said precept, and hath returned Paul Methuen Esq, and the said Mr. Diston to serve in parliament. That the petitioner is, and when the precept was executed was Recorder of the said Borough and one of the Common Council, and as the Recorder is (by the Charter of the said Borough) the chief officer in the vacancy of a Mayor; and that he and others of the common council making a majority thereof (before the said John Eyles executed the precept) sent to forbid the same, and demanded the precept, and for the reasons aforesaid not only refused to attend and give their votes, but sent a protestation in writing against such proceedings. And therefore the said Borough is not duly represented in this parliament: and praying the House to take the matter into their consideration.

The merits of the said Election were ordered to

be heard on the 28th day of April next—Five months after. No report.

1710. Dec. 1. A petition of Sir Francis Child and Mr. Sergeant Webb, was read, setting forth that at the late election, the candidates to represent the Borough being Paul Methuen Esq. and Josiah Diston, Blackwell-Hall factor, besides the petitioners.—That James Sutton, Gent. having gotten the precept, proceeded to execute the same as Mayor, though he was not the legal Mayor, and was guilty of many indirect practices; and hath returned Mr. Methuen and Mr. Diston as duly chosen, though the petitioners were duly elected by a majority of legal votes, and ought to have been returned; and Mr. Diston and his agents and also Mr. Methuen's agent were guilty of bribery and other corrupt practices. And praying &c.

Another petition followed this, from the same parties and of the same import.

A petition of Paul Methuen and Josiah Diston Esquires was then read, setting forth that though Sir Francis and the Sergeant with their agents, had by corrupt practices obtained divers votes, yet the petitioners were duly elected and returned by James Sutton, Gent. Mayor of the said Borough; yet the sheriff of Wilts (being indirectly prevailed upon) hath annexed to the writ, with the said return of the petitioners, an undue return of Sir Francis Child and Sergeant Webb pretended to be made by one John Child (brother of the said Sir Francis) who was not the proper

officer, nor did preside or act as such at the general election. And praying &c.

Ordered—That the matter be heard at the bar on Tuesday come-seven-night—12 Dec. It was not heard however till the

16 Dec. When the counsel and witnesses, after examination, having been withdrawn, and Mr. John Child being offered as a witness to what he had heard Mr. Diston say of his judgment touching ten new votes, which being objected against; Resolved—That Mr. John Child be admitted to give evidence of what he has heard Mr. Diston say of the elections of Common Council men and free-burgesses that have been at the Devizes since 20 April 1706.

Then the counsel and witnesses having been again examined and withdrawn, the question was put.—That Sir Francis Child, Knt. was duly elected; and on the division, the yeas were 216; the noes 96. So it passed in the affirmative, which involved the resolution that Josiah Diston also was duly elected. The return was accordingly amended.

1713. March 5. Several gentlemen of this neighbourhood petition for a bill to amend the roads hereabout describing them as so ruinous that it was dangerous to all that passed them. They particularize the road from Shepherd's Shord to Horseley upright gate, through Sandy lane—From Rowde-ford to the same gate, and between Devizes and Andover.

March 5. The same complaint is again repeated, touching the election of representatives; Josiah

Diston and Francis Eyles Jun. Esquires charging Mr. Robert Child, and Mr. Nicholas the sitting members with undue practises, and petitioning to be heard thereon—Ordered to be referred &c. No report.

1720-21. Jan. 19. The Master of the Rolls acquainted the House that he was directed by the committee of secrecy to move that Francis Eyles Esq. member for Devizes, with three others, being directors of the South Sea Company, be examined before the house in the most solemn manner—Ordered—That they be directed to attend the Committee appointed to enquire into all the proceedings relating to the execution of the Act.*

28 Jan. A motion was made and the question proposed. That Francis Eyles Esq, a mem- of this house is guilty of a notorious breach of trust as a director of the South Sea Company ; and has thereby occasioned a very great loss to great numbers of his Majesty's subjects, and highly prejudiced the public credit.

Mr. Eyles was heard in his place ; and being withdrawn, it was—Resolved that Francis Eyles Esq. is guilty &c.—And that for the offence he be expelled the house.—On the 31st. a new writ

* This act was entituled. "An act for enabling the South Sea Company to encrease their present capital, stock, and fund, by redeeming such public debts and incumbrances as are therein mentioned: and for raising money to be applied for lessening several of the public Debts and incumbrances, and for calling in the present Exchequer Bills, remaining uncancelled, and for making forth new bills in lieu thereof, to be circulated and exchanged upon demand, at or near the Exchequer."

was accordingly ordered.—This fate befell many other members also.

1719. 3 Dec. A petition from the Borough, complaining of the encreasing importation of printed calicoes and East India prohibited goods, has the following statement among others; that the cloth at that time made in Devizes was generally sold to be exported to Italy, the amount of which was returned hither in raw silk from the respective places where it was sold.

1724. A bill was this year obtained to renew an act for amending the road from the top of Ashlington hill to Rowde, and from Devizes to Shepherd's Shord, It was stated in Committee that "part of the road within the Borough was so bad that many carriages were broken on entering the Town."

1728. The Borough petitions and complains, relative to the decay of the Woollen Manufacture.

1765. Feb. 14. "On this day" says the Gentleman's Magazine "a tumultuous mob assembled in the Borough, and being armed and disguised, assaulted the houses of several of the principal inhabitants; particularly those of the Mayor, the under Sheriff, the Town-clerk, the distributor of Stamps, the Post master's and the excise office with divers others; demolishing the windows, destroying the furniture, and threatening the lives of the inhabitants, but on what pretence, the gazette from which this article is taken, does not say."

1765. April 30. The House of Commons was informed, after the order to issue the warrant for

a new writ in the room of William Willey Esq. M.P. for Devizes had been made, that owing to subsequent reports, it was uncertain, whether or not Mr Willey had been dead at the time. The Clerk of the Crown was therefore ordered to make out a supersedias of the said writ, and the messenger of the great seal to forbear delivering it. On the 5th May, the House was informed that Mr Willey was alive.—So the order was discharged.

Circiter 1779. Southbroom House caught fire, on which occasion, great unwillingness was manifested on the part of the labourers of the Town to extinguish the flames. The fact was, they had no objection to see a house burning, which had been built by masons and others hired from Bath to the prejudice of themselves. It was erected about the year 1770 by Josiah Eyles Heathcote Esq.

1783 James the son and heir of James Sutton of New Park, Esq. was christened at the Green-Church; to celebrate which event, rejoicings were instituted on Roundway hill. Oxen were roasted whole, and booths erected for glee-singers &c. and the whole town was invited to the entertainment. The subject of it however survived but one year.

1797. One James Brewer, stabbed on Devizes-Green, another man named William Staples, and on being committed to Fisherton Jail, himself died suddenly.

1797. July. The Gentleman's Magazine for this month gives an account of a newly discover-

ed plant found in the neighbourhood of Devizes, stated to be indigenous, and belonging to the Class *Pentandria—trigynia*, and of the genus *Turnera*.

1798. April 22. A meeting was held at the Town-Hall, of the Lieutenancy of the County to proceed in the execution of the act of Parliament for public defence and security against the threatened invasion from France. The Earl of Pembroke as Lord Lieutenant taking the chair.

In the August of this year, a fierce tempest visited the Town. The electric fluid set fire to the warehouses of Mr. Knight upholsterer, which communicating with the stables belonging to the Black Swan Inn, compelled the inhabitants to pull down several houses, in order to check its further ravages, The Devizes Armed Association remaining on duty the whole of the night.

4th August. Mr. Pitt returning to London from Burton Pynsent, spent some time with his friend Lieutenant-Colonel Sutton, at New park the seat of the latter, where he dined in company with the Speaker, the Hon. Henry Addington. Mr. Pitt was in the habit of annually visiting his mother the venerable Lady Chatham at Burton Pynsent, and it was on these occasions that he passed through Devizes. On the 21st of the same month, we find him here again, residing for several days at New park. On the honourable gentleman's entering the Town, the inhabitants vied with each other in demonstrations of esteem. The bells were rung, and the Associated-Householders received him under arms.

13th Nov. The Speaker presented to his Majesty an address from the Mayor and Burgesses of Devizes, and another from the inhabitants, congratulating his Majesty on the recent successes of his arms, and the brilliant victory obtained by Rear Admiral Lord Nelson.

1799. In the periodicals of this period, we met with such announcements as the following. "At St. Ann's hill near Devizes, to be played for at back-sword on the 7th day of August 1799, a prize of six guineas. Wrestling on the same day for a prize of three guineas, and there will be numerous other sports in the course of the day." The glories of back-sword, quarter-staff, single-stick, and such like pastimes, are now fading into dim distance. A veteran of this school, who at one period could exhibit many a trophy of the laurels he had thus won in Devizes during his lusty youth, has lately breathed his last. His early prowess in athletic sports will be well credited by those who recall the venerable aspect and manly bearing of Robert Fidler of Rowde.

Sept. 16. On this day, the colours provided for the Devizes Local Volunteers by the Right Honorable the Speaker, were presented to that corps by Mrs. Sutton of New-Park, on Roundway-down at a spot overlooking the Town. Marquees and a booth were erected for the accommodation of the numerous company who assembled on the occasion. The ground was kept by the Devizes troop of Wiltshire Yeomanry, assisted by a detachment from two troops of the 17th Light Dragoons at

that time stationed in the Town, under the command of Major Gore. A brilliant day gave animation to the scene. At 12 o'clock Mrs. Sutton arrived on the hill, attended by Mr. and Miss Sutton, the Honourable the Speaker, and Mrs. and Miss Addington, and as she passed on to the Marquee, was saluted by the line. The Corps then advanced, and the Colours were submitted to the action of consecration under the hands of the Rev. James Lediard, after which Mrs Sutton addressed Captain Salmon, commandant of the volunteers, who having bandied a few compliments with the fair lady, and received the colours from her, delivered them to Mr. Wadham Locke and Mr. W. W. Salmon the two ensigns, accompanied with a short address, expressive of his confidence that in their hands, they would never be tarnished. Whereupon the Volunteers incontinently proceeded to the exhibition of their newly acquired skill in the art of manœuvre and evolution, before the admiring eyes of the assembled ladies, in concert with whom they next advanced to the attack of the viands, after which they marched into the Town in order (*query*) and deposited the Colours in the Town-Hall.

1800. 19 Dec. In consequence of the great scarcity then prevailing, a meeting of the inhabitants was called by George Sloper the Mayor, when a variety of articles were agreed upon by the householders present with a view to prevent the superfluous use of corn. Among others, that the consumption of bread should not exceed the rate

of one quartern loaf a week for each person in their respective families, and to abstain altogether from pastry. To continue in force till Oct. 1801.

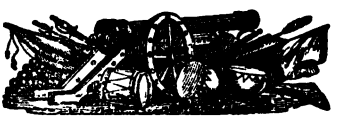
1805. On the creating of Lord Sidmouth a peer of the United Kingdom, a common council of the Corporation of the Borough was held and resolutions of thanks voted to his Lordship for his past services as Recorder and Representative thereof for so many years.

1810. June 7. A mutiny broke out among the 2nd. Wilts local militia stationed at Devizes, instigated by one of the corps, who persuaded the others that they were too severely disciplined. One of the Sergeants having in consequence been committed to the Guard-room by the Commanding Officer, a party of the Regiment after evening parade, with fixed bayonets, forced the Guard-room and released the prisoner. But by the prompt and ready assistance of nine troops of the Wilts Yeomanry Cavalry, and the Draycot troop of Yeomanry with their Colonel Lord Bruce whom the Mayor had called upon in aid of the civil power, the mutiny was quelled and the ringleaders punished.

1813. 11 August. On this day was held the first anniversary meeting of the British and Foreign Bible Association, in the Assembly Room Town-Hall. T. G. Estcourt Esq. in the Chair.

1813. 27 Jan. A meeting of the freeholders of Wilts took place in Devizes to consider the Catholic claims. J. H. Penruddocke Esq. in the Chair on which occasion the eloquence of the Marquis

of Lansdown, Lord Holland and Lord Viscount Andover with their friends, effected a demonstration of feeling, which can hardly be said to have been responded to by the County at large.



Curiosities &c.—In the opening chapter to this work, allusion was made to certain Roman antiquities discovered from time to time, in Devizes and its neighbourhood. Those of which we have any positive information are as follows.

On Dec. 4. 1699. A person digging in some ground belonging to Sir John Eyles, near Devizes, (presumed to mean South-broom) discovered about two feet from the surface, a pot or urn, with an extremely narrow mouth. The circumference of the vessel was 18 inches, and its depth 10. The pottery was of a bluish colour, and of such composition that it appeared almost uninjured by time. Several hundred Roman coins of the Emperors were deposited in it, most of them of copper, the rest being of a mixed metal, and many washed with silver, which in numerous cases remained uneffaced.

About the same time and within a few yards of the same place, were found a number of pots of grotesque figure, but mostly differing one from another, as well in the clay composing them, as in shape. One of them was described as resembling

an oyster-pot of modern construction, (though perhaps even this might be pronounced Roman, if we should chance to stumble on it now.) It was 9 inches round, and 5½ deep, and for strength and compactness scarcely to be equalled.

Another person had in his possession a pot, which was found to contain a whitish powder, supposed to be the ashes of human bones. To decide this question, the supposed bone-ashes were placed in the bowl of a clean tobacco pipe and submitted to a fierce heat, when the matter immediately kindled into a bright flame and sent forth a scent somewhat resembling that produced by the combustion of hoofs and horns, though when first discovered, the smell emitted was perfectly fragrant. This experiment appears to have convinced the writer of the account, that the powder in question had never been bones. *See Philosophical Transactions Vol. 22. No. 268. Communicated by Mr. Clark.*

In 1714 One William Cadby brought to light a whole set of Penates or pocket gods, They were enclosed in a capacious urn, holding about six English Gallons, (dimensions which bring it very near to the Roman Amphora) the whole found buried near the ruins of an old house in the Green. To secure so large a vessel from pressure, it was found to have been encompassed with tiles or bricks of the Roman fashion, and secured with Roman Cement. The supposed names of the several images, together with their respective sizes are here given.

8.
12
4.
7.
5.
2.
17
11
20
19.
21.

1. Jupiter Ammon, in length 4½ inches.
2. Neptune with his trident, 4 inches.
3. Bacchus, of similar dimensions.
4. Vulcan, holding the broken handle of some weapon in his right hand, 3½ inches.
5. Venus, 6½ inches in length and weighing 11 oz. 4dr. This figure is of excellent design.
6. Momus, 4 inches (doubtful)
7. Ganymede, 4 inches. He holds in one hand Jupiter's wine cup, and in the other a platter, and his head is furnished with small wings.
8. Hercules, 4¼ inches. He grasps two serpents which are wound round his legs.
9. Minerva with helmet, shield and spear, 3⅓ inches. The lower part however is broken off.
10. A vestal Virgin, 3¼ inches, holding in one hand a dish, in the other a roll of parchment.
11. She-wolf suckling Romulus and Remus, 1⅓ inches.
12. Mars 3½ inches, a helmet is on his head.
13. Apollo, 4½ inches (doubtful)
14 and 15. Two other figures too imperfect to be described.
16. Bust of a Matron.
17. Bust of Venus, based by a sort of cup, 2 inches in height.
18. A figure possessing no distinguishing mark, 4 inches.
19. Apis the Egyptian Bull, 4 inches long.
20. Anubis the Egyptian Dog, 3½ inches.
21. Pegasus, 2¼ inches.

The annexed engraving represents some of the best executed of them.

These figures were composed of the mixed metal generally used for that purpose, but one of them viz. the vestal virgin is particularized as being of Corinthian brass. A single Coin of the Emperor Severus was also found in the jar with the penates; on one side the inscription being IMP. SEV. ALEXAND. AVG. and on the reverse, PAX AVG.

At the time these were discovered, the curiosities from Herculaneum and Pompeii, had not yet found their way into this country, and they were consequently regarded with so much interest as to be carried about the country for exhibition, and representations of them were engraved of two different scales. One of these representations, on a folio sheet was at the expense of Sir Robert Eyre, it was published by William son to Dr. Musgrave, who also inserted an account of them in his "Belgium Britannicum." In Moll's Geography they are engraved in the margin of the Counties of Wiltshire, Hampshire and Dorsetshire, the writer explaining his reason for placing them in the latter counties by adding that they were "inserted in counties destitute of antiquities, we being unwilling to omit such great curiosities."

Dr. Davis, while alluding to them in the "Origines" observes "The reason why the Romans hid their treasures was to secure them from their enemies. The truth of this may be inferred from a

passage in Spartianus's life of Pescenninus Niger.* Every soldier carried with him his money and portable things of value. When they were called out upon long hasty marches, dangerous expeditions, or to a determined action, they deposited their valuables under a strong presumption of finding them again; this occasioned some to have been hid in fields. But when attacked in their fortification, they deposited their treasures in the earth where they were stationed: (qua data fossa,) upon this account, much of their money has been hid in their camps and towns. They were determined that their treasures should not fall with their bodies into the enemy's hands; but chose to leave them, if they died, a legacy to posterity, for an amusement, or rather an employment for some grave and indefatigable Virtuoso." From all which the Doctor infers, "that it is too hasty a conclusion, to pronounce a town to be Roman, from the circumstance of a few Roman relics being found in its neighbourhood." Though the inference is certainly not one of the clearest. Dr. Stukeley affirms that in his time, Roman antiquities were being "found here every day" and mentions two others which were in the possession of Lord Winchelsea, viz. a brass key which he concluded to be Roman, and a brass Probus, having on the reverse "Victoria Germ." with a trophy.

* Casaub. Edit. p. 144, D.

A periodical of the last century alludes to an ancient wooden monument which stood near Devizes, bearing the following singular inscription.

"A LEG IS INTERRED HERE."

Whereupon the writer moralizes in the following strain.

"A leg alone within a grave!
Graver I fear thou'rt some arch knave,
Or else some dull poetic noddy,
Pray had this leg nor head nor body?
Tis true some men have such odd notions,
Such real conceit, such false devotions,
From post to pillar ever starting,
In every service to take part in;
And so addicted are to kicking,
When'ere detected in their picking;
Of such it justly may be said,
That they are legs without a head."

The following is a translation of the last will and testament of one William Salter clothier or weaver of Devizes. It was executed in 1404, and considering how very few wills of private individuals, of so ancient a date, are now to be met with; it will doubtless be regarded as claiming an additional share of interest on that score. It is preserved at Salisbury, and the copy was furnished by the kindness of H. Hatcher Esq. of that city.

"In the name of GOD, Amen. On Wednesday preceding the feast of St. Thomas the Apostle A.D. 1404. I William Salter of Devizes order my last testament after the following manner.

Imprimis. I leave my soul to the Blessed Virgin

Mary, and to all the saints; and my body to be buried in the church of St. Mary, at Devizes aforesaid.—*Item.* I leave to the fabric of the Cathedral-church of Sarum 12 shillings—To the church of St. Mary at Devizes, 3 shillings and 4 pence—To the church of St. John in the same town, 2 shillings—To the High-Altar in St. Mary's church, 4 pence—To the High-Altar in the church of Rowde, 2 shillings—To the High-Altar in the church of Bishop's-Cannings, 2 shillings—To the Brethren at Marlborough, 10 shillings—To the Prior of the House of St. John at Devizes, 2 shillings and sixpence—To Master John, chaplain of the parish church of St. Mary there, 2 shillings and sixpence—To Master Thomas Newman, Master Richard Friend, Master Richard Zely, Master Thomas Michell, chaplains, 2 shillings and 6 pence each—To the Lord John Colewelle, 20 shillings—To Master John Merun, 13 shillings and 4 pence—To my cousin Agnes Haynes, 10 marks of lawful money—To my cousin William Haynes, 9 marks—To my cousin Richard Haynes, 11 marks—To Agnes my sister, 3 . . . . (*The words are obscured but seem to refer to a quantity of wool.*)—To John Wetham, after the decease of Margaret my wife, one loom with its apparatus—To John Webb my apprentice, after the death of my wife aforesaid, one loom.

Item, I give and bequeath unto Robert Chandler Webbe, and Alice his wife, that tenement, situated in Old-Port, between a tenement belonging to the Mayor and Commonalty of this town, of

the one part, and a tenement of Thomas Goldham of the other part, to hold for the term of their lives, paying annually from it, after the death of Margaret my wife, to the Mayor for the time being of Devizes and to his successors, 3 shillings of lawful money, for the reparation of the ways existing in the town; and to the Capital Lord of the fee annually 12 pence for all other services and demands. And after the death of the said Robert and Alice, I give and bequeath the tenement with its appurtenances to the Mayor and his successors for ever, for all services thence due, whether by custom or right, that they may appropriate the rent of said property to the reparation of ways, as is expressed above, for ever.

Item, I give and bequeath to Margaret my wife, all the other lands, tenements, and burgages with their appurtenances which I possess in Devizes, to hold them for the term of her life, paying to the Capital Lord of the Fee the service thence due by custom or right. And after the decease of Margaret my wife, I give to my sister Agnes, one tenement which is situated in Old Port, between my other tenements of either part, to hold the same for her life, paying to the Lord &c. &c. And after her death, I give and bequeath the said tenement to her son Richard Bytefinger &c. And after the death of the said Margaret, Agnes, and Richard, I leave the whole of my possessions whether in lands, tenements, or burgages, to my executors or their assignees, to be by them sold, and the produce thereof without any diminution

to be well and faithfully applied for the benefit of my soul, and the souls of my friends.

Item, I give and bequeath to said Richard Bytefinger 20 Ewes. And as to whatever residue of my other effects may appear, after my lawful debts and the expenses of my funeral shall be paid, I give them to my wife Margaret. But in the event of her marrying again, I will that half of such residue, without any loss, be faithfully applied by my executors or their assignees, to the good of my soul, and be expended by them in the manner that shall seem to them best and most fitting.

And for the good and faithful execution of this Testament, I ordain, make, and constitute as my executors, The Lord Walter Lage, Vicar of Rowde, Margaret my wife, and John Nappre.

Given in the day—year—and place above written—

CHARITABLE BEQUESTS &c. On this topic it is not intended to dilate, or even to attempt a sketch. Most ample accounts of the nature of the properties and of the final decision of the Commissioners have been published by Government. The one termed the "Coventry Dole" may claim a passing notice, more from the enquiry to which it gave raise than from any importance attached to it. It is said to have derived its origin from a feeling of gratitute entertained towards the town by a man or boy, who on passing through it in a destitue condition was relieved by a baker. Afterwards,

becoming wealthy in London, he bequeathed a loaf to every person in Devizes, resident or traveller, to be delivered once a year. It is added that an archduke of Austria with his suite passing through on one of these Coventry-dole days, was presented with the accustomed donation in 1786.

Mr. Salmon's father who was a member of the Corporation from 1770 till his death in 1826, had told him that he had taken considerable pains to ascertain the truth of this tradition, but that neither *his* father again, who also was a member of the Corporation, nor any other old person in the borough had been able to give any explanation of it.

The name of Coventry is of frequent occurrence in Devizes in former days, and it is far more likely that the Charity descended from one of them than from a stranger. It is now considered as lost.

THE GUILD-MERCHANT OF DEVIZES. The first mention made of this institution is in the Charter of Edward I. The fraternities composing it have long become extinct, and even the fact of their existence is almost forgotten. The account-book of the company of Drapers is the only document at present remaining in the Chamberlain's hands. From it we learn that at a meeting of Common Council in the 20th James I, it was ordained that the Guild of Merchants within the Borough should be divided into three Fraternities

or Companies, viz. the Company of Drapers, the Company of Mercers, and the Company of Leather sellers. This it would seem must have been only a confirmation of what already existed, for the same book contains an account of the Brethren constituting the Company of Drapers, of a date antecedent to the above. These members belonged not only to the Borough but in many instances to surrounding towns and villages.

The Drapers held their meetings in what was termed the Weaver's Hall which appears to have comprized the whole length of building forming the north side of Wine Street, though perhaps the first floor only was used for the purposes of the Company. The day of Convention was the 5th of November. The fraternity was governed by one Master, 2 Wardens and 2 inferior officers employed to collect fines, who were called Yeomen. It embraced the following trades and crafts—Clothiers, Weavers, Woolmen, Drapers, Taylors, Hosiers, Fullers, Shearmen, Spinsters, Coopers, Carpenters, Masons, Tylers, Joiners, Cutlers, Smiths, and Ironmen. The account closes in 1731.

There is no mention made of what the Mercers company comprized, but from various petitions to parliament sent by the Leather-sellers we are able to give a better account of them. Under this name were enrolled Dealers in hides, Pattenshoe, boot, and bellows makers, Girdlers, Saddlers, and Harness makers.

Amongst the entries relative to a "visitation

of the County of Wilts" in 1570 preserved in the Harleian Manuscripts 1565-68; The state of the Guild is given thus, that "Edward Haynes Mayor was chief head and governor.—William Ruttye and Richard Dunne, were Wardens of the Clothiers and Weavers—William Preston and John Smith, Wardens of the Drapers and Taylors—John Chappel and Thomas Fitzall, wardens of the Mercers.

At the same time the state of the Borough itself is thus described "George Heynes Mayor—Thoms Hull Coroner—Richard Galt, Robert Lewen, John Blandford, Henry Morris, Anthony Clee, John Burde and John Willis, Aldermen—Henry Grubb and Nicholas Allen, Constables—Richard Gifford and Henry Smith bailiffs, and John Hardent, Recorder.

According to the return made at another visitation in 1623. John Allen the Mayor is reported to be chief head and Governor of the Guild. Of the Clothiers, Weavers and Drapers, John North was Master—and John Batt and John Eyles the Master-Wardens. Of the Company of Mercers Nicholas Barrett was Master—and John Hope and Marmaduke Birde the Wardens—Of the Leathersellers, Thomas Clarke was Master,—and Charles Pulleyn and Henry Deane, Wardens. From these two visitations it appears that the classification of the trades was different at the two different times, neither is there in the first mentioned, any allusion to the leather-sellers.

"The Arms appertaining to the Fellowship and Corporation of the Burgesses and Merchant-adventurers, Clothiers and Weavers, Drapers and Taylors, and others using any art or facultie within the Town and Borough of the Devyses."

Borough Members.

Devizes sent representatives to all the parliaments of Edward I. but their names during that period appear to be lost. We begin therefore with the reign of Edward II. whose first parliament was held at Northampton in the year

1307. Thomas le Bodere, and Thomas Auveray.

Westminster 1309. For this Borough amongst others in which the Sheriff had no entry, the writ was returned to the Queen's bailiff for the said "Liberty of Devizes" who had given no answer.

London 1311. No answer returned to the writ.

Lincoln 1312. The Sheriff makes returns for Salisbury, Wilton, Downton, and Marlborough, and adds that there are no more cities or boroughs in his bailiwick.

Westminster 1313. Three parliaments this year. No return for Devizes in either.

York 1314. William Noble and Gilbert Swift.

Westminster 1314. William de Codio—Hugo de Cartere.

York 1318. Answer as in 1312.

York 1319. Same answer.

Westminster 1320. No return.

Do. 1321. No return.

York 1322. The writ was returned to the Constable of the Castle, who gave no answer to the Sheriff.

Ripon 1322. Return if any, torn off the writ.

Westminster 1323. The names of Walter Bochard and Hugh Estmond are entered on the original pawn or docket as burgesses appearing for the Borough.

Westminster 1325. Thomas Mumham and John Mymyng.

Do. 1326. No return.

The publication of the Parliamentary Writs after this period, has not yet (1839) made its appearance. We must therefore complete the list, or rather arrive at the end of it, by striding over two centuries and beginning again with the 7th Edward VI. on which year the parliament sat at Westminster and continued to do so afterwards.

1552. One member only viz. Thomas Hall.

1553. William Read and Thomas Hall.

1554. Thomas Higate and Henry Leke.

MARY and PHILIP.

1554. Thomas Hall mayor and Edward Haynes.

1555. Thomas Hall and James Webb.

1557. Thomas Hall and Henry Morris.

ELIZABETH.

1558. John Younge and Edward Haynes.

1563. Hugh Powell and Edward Haynes.

1571. Edward Bayntun and William Clark.

1572. George Reynolds and Henry Grubb.

1585. Henry Bayntun and Henry Brounker.

1586. The same.

1588. Henry Leven and John Brounker.

1592. Henry Bayntun and Richard Mompesson.

1597. John Kent and Robert Drew.

1601. George Fettyplace and Robert Drew.

JAMES I.

1603. Sir Henry Bayntun and Robert Drew.

1614. Sir Mervin Audley and Sir Carew Reynell.

1620. Sir Henry Lee and John Kent.

1623. Sir Edward Bayntun and John Kent.

1625. Sir Henry Bayntun and Robert Drew.

CHARLES I.

1625. Robert Long and Sir Henry Lee.

1628. Robert Long and Thomas Kent.

1640. William Bayntun and Henry Danvers.

1640. Sir Edward Bayntun and Robert Nicholas—This was Charles's last parliament. After this no names occur till 6th CHARLES II.

1654. Edward Bayntun.

1656. Edward Scotten.

1658. Chalon Chute Jun. and Edward Scotten.

1660. William Lewis and Robert Aldworth.

1661. William York and John Kent.

1678. Sir Walter Earnly, and Sir Edward Bayntun.

1680. Sir Giles Hungerford, and John Eyles. This parliament was held at Oxford.

1681. Sir Walter Earnly, and George Johnson.

JAMES II.

1685. Sir John Talbot, and Walter Grubb.

WILLIAM III's convention took place in

1688. Sir William Pinsent and Walter Grubb.

1689. Walter Grubb, and John Methuen.

1695. Sir Edward Earnly, and John Methuen.

1698. Sir Francis Child, and John Methuen.

1701. Sir Francis Child, and Sir Francis Merewether.

1701. Sir Francis Child, and John Methuen.

QUEEN ANNE.

1702. John Methuen.

1705. Sir Francis Child, and Josiah Diston.

1707. First parliament of Great Britain. Sir. Francis Child, and Josiah Diston.

1708. Paul Methuen, and Josiah Diston.

1710. Sir Francis Child, and Thomas Webb.

GEORGE I.

1714. Robert Child, and John Nicholas.

1715. Josiah Diston, and Benjamin Haskin Styles.

1718. Francis Eyles, and Benjamin Haskin Styles.

1722. Sir Joseph Eyles, and Benjamin Haskin Styles,

GEORGE II.

1728. Captain Francis Eyles, and Benjamin Haskin Styles.

1735. Francis Eyles, and Sir Joseph Eyles. Remitter for the Crown; died.—new writ ordered 18 Feb. 1740. John Garth, Recorder of the Borough.

1741. John Garth, and Francis Eyles; the latter being made superintendent of his Majesty's foundries a new writ ordered 13 July 1742. George Lee, L. L. D.

1747. John Garth, and William Willey, E. Ind. Director.

1757. Willim Willey, and Samuel Garth.

GEORGE III.

1761. John Garth—died—new writ ordered 10 Jan. 1765. James Sutton, was elected. William Willey, reported to be dead —new writ ordered 29, April, 1765.—Writ superseded—Mr. Willey dying—new writ ordered 29 May 1765—Charles Garth.

1768. James Sutton, and Charles Garth.

1774. The same.

1780. Sir James Tylney Long, Bart. and Charles Garth The latter being made a commissioner of the Excise. New writ ordered Dec. 1780. Henry Jones.

1784. Sir James Tylney Long, and Henry Addington, the former, made Steward of the Chiltern Hundreds, new writ ordered Dec. 1788. Joshua Smith, chosen. Henry Addington, Recorder of the Borough—was chosen Speaker of the House of Commons, 8 May, 1789.

1790. Rt. Honourable Henry Addington, and Joshua Smith.

1801. The same. First parliament of Great Britain and Ireland.

1804. Thomas Grimstone Estcourt, and Joshua Smith.

1806. The same.

1807. The same.

1812. The same.

1819. Thomas Grimstone Estcourt and John Pearse.

1820. The same.

GEORGE IV.

1820. The same.

1829. George Watson Taylor, and John Pearse.

1830. The same.

WILLIAM IV.

1831. The same.

1833. Wadham Locke, and Montague Gore.

1835. Wadham Locke, and Admiral Sir Philip Durham.

1836. Captain James Whitley Deans Dundas, and Thomas Henry Sutton Bucknall Estcourt.

VICTORIA.

1837. The same.

CHAPTER X.

ARCHITECTURE OF THE TOWN—ST JOHN'S CHURCH—ST MARY'S CHURCH—ST JAMES' CHAPEL—DISSENTING PLACES OF WORSHIP—TOWN HALL—MARKET CROSS—OLD AND NEW JAILS—PUBLIC INSTITUTIONS—BRITTOX AND OTHER ANCIENT NAMES—CENSUS OF POPULATION—GEOLOGICAL NOTICE—ROUNDWAY HILL—WANSDYKE—NEW PARK.

In an architectural point of view, there is little now remaining in Devizes, with the exception of the Churches, calculated either to engage the attention of the antiquary, or to attract the eye of taste. Placed at a considerable distance from any freestone quarries, the substitution of brick and timber long imparted to its domestic architecture an aspect not the most dignified. But the energies of a few past years have done much for the town; by supplying deficiencies which had long been lamented—by paring down that which was irregular without being picturesque—and by infusing into the social body, a spirit of improvement which a folio of bye-laws could never have instilled.

The disposition of the streets is somewhat singular, and possibly exhibits traces of original design. Those which are curved, may almost be

said to be segments of circles described about a point on or near the keep of the Castle. What the original limits of the Town were, if it ever had any walls; or in their absence, what was the first outline of the Borough, it is now impossible to determine. It was stated in the Devizes Gazette in 1826 that in Westgate Street, the foundations of a gatehouse were discovered by workmen employed in excavating for culverts, and that other traces of a wall were discernable in a right line between that point and the Eastern port.

Stukeley pretended to trace a Roman vallum round the town, and asserted that the inhabitants had converted the ditch into a road: perhaps he had an eye to what is termed Backlane, which was formerly much deeper than at present. As it would require uncommon penetration to perceive any such vestiges now, or to pronounce from the existing state of things whether or not Devizes was founded by Normans, Turks, Indians, or Heathen Gods, it were idle to pursue the investigation any farther; and as the streets were never noted for offering much inducement to loiter in them, we will proceed to the examination of the Churches beginning with.

ST JOHN'S. The ground on which this structure stands, appears to have been carefully chosen; being a small platform at the head of a valley, improved and modified by embankment and leveling. The building itself has undergone so many alterations, and these alterations have been made at such distant periods of time, that its present

aspect presents as incongruous an architectural jumble as this island produces. The original parts of it were long supposed to be Saxon, and entertaining this favourite conjecture, the local antiquary of St. John would feel himself to be within most reasonable limits which dating back its infancy at least a thousand years. But a better knowledge now prevails on these points, and if the Saxon origin of such Churches as those of Hedingham, Barfreston, Iffley, Stukeley, Castle-Rising, St. Peter's at Northampton, and St. Peter's at Oxford must now be regarded as untenable, there seems nothing left for those of Devizes, but to be classed in like manner as Norman structures of the 12th Century.

In a certificate returned in Edward VI's time, relative to the state of this church, the founder is said to be unknown. Mr. Britton in his "Architectural Antiquities," conjectures that St. John's Church was one of the works of Roger Pauper of Salisbury, the well known founder of the *Norman* Castle of Devizes. His words are "From the coincidence of style in the original parts of this Church, with those of Malmsbury abbey; from the military and national importance of the Castle of Devizes during the reigns of Henry I. and Stephen, and from the contiguity and probable connexion of this church with the castle; I am inclined to believe that the Tower, east end, and two transepts were erected some time during Bishop Poore's prelacy. In this opinion I feel supported by the learned Anglo-Saxon professor

of the Oxford university, who in a letter to me on the subject, says that in the parts of the building above referred to, he long ago recognized the magnificence of Roger of Sarum, whose works in architecture were the wonder of the age in which he lived; the small arcades used as a facing to the outside of the tower, as well as those within the belfry, the nail head, the chevron or grand diagonal ornament, the embattled fret, and the intersecting arches, are so many ocular demonstrations of the age of this curious building."

The plan of the building was a simple Roman Cross, formed by four plain gables projecting from the four sides of a quadrangular tower, two of these constituting the chancel and nave, and being of the same width one with the other, the other two forming the *transeptum* or smaller bar of the cross. The tower which was by far the most elaborate and important feature of the whole, is singularly curious in one respect. It is rectangular but not square, and in accordance with this peculiarity, while the east and west arches supporting it are semicircular, the north and south ones are pointed: this involved the circumstance of the transept being rather less wide than the chancel and nave, as all these members were made to partake of the proportions of the tower from which they would appear as it were, to emanate. Though a tower of this form cannot be pronounced unique, if we embrace the whole architectural range of Christendom, it certainly is of rare occurrence.*

* At Warminster and Bratton are two other specimens.

The arcades and other ornaments on the outer face of St. John's tower are similar to those we meet with in other buildings of the same æra, though not exactly like, in any one instance. Its elevation on the eastern and western fronts "is divided into two compartments, separated by a cable and plain string moulding, the lower division containing two semicircular headed windows, with single mullions, and cinque and quatrefoil dressings; and the upper, a series of five semicircular arches, only two of which appear to have been intended as windows," on the north and south fronts, in consequence of the irregularity of shape above mentioned, there are two less of these arches in the upper series, and one less in the lower. The angles of the Tower are finished with a staff-beading or three quarter column at three points, while the fourth is furnished with a circular staircase turret. This turret in the original plan rose sheer from the ground, as there were no side aisles to interfere with its perpendicular ascent, and must have formed a particularly pleasing adjunct to the whole, by producing in the mind of the spectator an effect of continuity to the tower.

The body of the church was of the same length as at present, but the principal porch of entrance is presumed to have been at the west end, as in other parish churches of the same date. A moulding inserted about midheight, traversed the outer face of the walls throughout: plain where it ran along the side walls; but at the gable ends, of

the description termed double-billet: the windows in this part reposing on the moulding, while in the case of the nave and chancel, they were cut through it.. Just enough still remains, to satisfy the curious observer as to all these points. A solitary window in the north wall of the Chancel is yet to be seen in its primitive state, and at each end of the transept, where two small windows have been filled in, and the pilaster buttresses which divide them, cut away in order to admit of a large window of the style of the 15th Century, fragments of the billet moulding have in each case been left untouched, as well as sufficient portions of the windows themselves, to testify what were their style and ornaments both within and without; while two very small remnants of the same moulding are also discernible on the wall at the western extremity of the church, one on each side of the present window. The last feature to be mentioned is the row of grotesque brackets which supported the courses immediately under the eaves throughout, and of which the north wall of the chancel and the north part of the transept still exhibit specimens.

Having now completed the description of the exterior of the Church, it is worthy of remark before proceeding to examine the interior, that the masonry of these ancient parts, particularly of the tower, is of most workman-like description, and retains in consequence, an admirable surface and sharpness of detail, unimpaired to the present day. Those who may think fit to ascend to the roof of

the Hungerford Chapel for the purpose of examining the tower, will be struck with the uniformity and precision of the courses of stone, and the finish bestowed on the mouldings and ornamental parts of the arcades.

Passing thence into the interior of this part of the building, that is to say, into the story of the belfry used by the ringers, it is perceived to possess another interesting feature, viz. a series of intersecting arches of the zigzag pattern which however are far from being uniform; those attached to the east wall, differing from those of the north and south, both in size and character. The former unlike all other intersecting arches, are constructed in such a manner that each semicircle is made to embrace two columns, and thus to form with the aid of its associates, three acutely pointed subordinate arches. See the annexed engraving. The remaining ones, which are also the smaller set, follow the ordinary method; that is, each semicircle overstepping one column only, and forming but two subordinate arches. The capitals are all ornamented with figures resembling volutes of the Corinthian order, and the abacus of each is peculiarly thick. The flooring here is no part of the original design, it is a wretched contrivance as far as appearance goes, and constitutes one of the worst of the numerous alterations the church has undergone. It greatly impairs the effect from below, giving it an aspect of gloom and confinement instead of a lofty and cheerful one. The flooring in the Tower ought to be no lower than the level of the cable-

moulding-course outside, or about 15 feet higher than at present, so that to the spectator in the body of the church, standing under the Tower, there might be visible, not only the intersecting arches traversing the face of the wall, but also the series of lights above them; and these lights should be kept fully open. The present plan was no doubt adopted for the convenience of ringing the bells, and to avoid the necessity of the ropes hanging into the body of the church, as at Edyngton.

There is another respect, in which the original plan, as of a place of worship, is lost in modern alterations. It is pretty certain that in all small parish churches of the cruciform kind, like St. John's for instance, the altar was placed right under the tower. In many other larger churches and in Cathedrals, where the width was greater, the spot usually chosen was the middle of the part hence denominated the *Choir*,* though the

* *Choir* or *chorus* is said to be derived from the circumstance of the multitude standing round about the altar, *modo coronæ* in the form of a ring or circle. Though perhaps we ought rather to say that *corona* is the offspring of the former. The argument in either case is the same. In the ancient liturgies was a prayer "for all those that stood round about the altar." The priests and deacons surrounded it when they officiated, and Durandus a Catholic writer informs us that when a bishop consecrates a new altar, he must encompass it seven times, from which it was manifest that it could not have stood against a wall. Additional evidence to the same effect might be cited on the authority of Eusebius, Dionysius the Areopagite, Chry-

first mentioned or Gregorian plan is observable in numberless instances on the continent. In the case of a small cruciform church, such a position was particularly appropriate, as it afforded a direct and uninterrupted view to the worshippers, whether standing in the transept, nave, or chancel.

The intersecting arches which now form so distinguished an ornament in the chancel were long plastered over and hidden from view, until Mr. Phipps the present Rector, brought them to light and directed their careful restoration; but the task will not be completed till the removal of the tablets &c. from the east wall shall have disclosed that part of the series also. It may be observed, *en passant*, that the arches attached to this wall, or east-end, as well as the window above them (now blocked up) furnish additional proofs that the altar did not originally stand there. These arches, which closely resemble those in the belfry, may serve to shew us what was originally the prevailing characteristic ornament of the interior of the church. The side aisles were added appa-

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sostom, Athanasius, and in our own country Austin first Archbishop of Canterbury, and the venerable Bede. A central position for an altar was it is well known, that adopted by the Jewish church. Railing them in, is usually dated from the period of the Council of Aix, held in 1583, one of whose canons ordains "unumquodque altare sepiatur omnino septo ferreo vel lapideo vel ligneo." At the reformation, when altars were changed into tables, the position was retained. See the controversy relative to the charges brought against Archbishop Laud, in Tulk's edition of Neale's Puritans.

rently about the time of Henry 5th or 6th—and occasioned the present bungling contrivance of arriving at the turret stair-case. If the lower part of this turret had been left standing, it would have blocked up the end of one of the aisles, and therefore it was thought necessary to cut it away, leaving a spine or central shaft; and to carry the approach over the arch opening into the Transept, which in consequence had to be made of unusual thickness. Another reason may have been to preserve a separate entrance into the Belfry.

The four arches supporting the Tower are all moulded into the zigzag form, one of the distinguishing features of the Saxon and early Norman styles. The capitals of the columns from which they spring, are sculptured with vine foliage, the abacus of each being figured with a double row of triangular indentations, resembling the impression produced by the point of a trowel on clay or mortar. Representations of these, as also of various other details of the Church, are engraved in Britton's Architectural Antiquities.

Of the chapels which have been added to this church, that on the south side of the chancel, appears at some period to have been either extended or to have formed two separate portions. It has hitherto been termed the Hungerford chantry, but Mr. Phipps prefers the name of Beauchamp. The character of its windows, buttresses, pinnacles and a niche over the eastern window, all proclaim the age of its construction to be that of Henry VIII. With regard to the other chapel, built in

the opposite angle of the church, the date may be stated as that of Henry VI.

The marble monuments in this church are very numerous, and in many instances, well executed. They exhibit the usual display of broken pillars, and mournful nymphs employed in opening and shutting urns *—in short, of the whole stock in

* I cannot refrain from indulging for a moment in the license which a note confers, for the purpose of reciting an observation or two of Henry Fuseli's on the introduction of Allegory into works of art.

"Among the paltry subterfuges contrived by dulness to palliate the want of invention, the laborious pedantry of emblems ranks foremost, by which arbitrary and conventional signs have been substituted for character and expression. If the assertion of Dr. Johnson that the plastic arts "can *illustrate* but cannot *inform*" be false as a general maxim, it gains an air of truth with regard to this hieroglyphic mode of exchanging substance for signs, and the story which he adds in proof, of a young girl's mistaking the usual figure of Justice with a steelyard, for a cherry woman, becomes here appropriate; and it might as well be pretended that one, not initiated in the Egyptian mysteries, should discover in the Scarabæus of an Obelisk, *the Summer solstice*, as that a child a girl or a man not acquainted with Cœsar Ripa or some other emblem coiner, should find in a female holding a balance over her eyes, in another with a bridle in her hand, in a third leaning on a broken pillar, and in a fourth loaded with Children, the symbols of *Justice*, *Temperance*, *Fortitude*, and *Charity*. The *Night* of Michael Angelo on the Medicean Tombs might certainly be taken for what she professes to be, without the assistance of the mask, the poppies, and the owl at her feet; for the dominion of sleep is personified in her expression and posture; perhaps even her beautiful companion whose faintly-stretching attitude and half opened eyes, express the symptoms

trade with which monumental sculptors have for ages laboured, in conjunction with the engraver, to convince posterity of the unheard-of virtues of the deceased. The excess with which this sort of homage has ofttimes been lavished, is well satirized by the observation of an eminent modern writer. "Ces éloges gravés sur la pierre prouvent bien moins les vertus des morts, que la fausseté des vivans." While this is true of the many, of others it may be said that their memory is more eloquent than the most elaborate epitaph.

Without entering into any description of the various monuments of St. John we will simply run through the names of the persons they commemorate, beginning with

John Eyles Esq. of Southbroom who died 1752, aged 75.—Mary his wife died 1744, aged 62, and three of their children Francis, Joseph, and Elizabeth—Thomas the brother of John Eyles, died 1735, aged 56—Maria Heathcote, daughter of George Heathcote died 1747, aged 2—Also Joseph Turner, who died 1761, aged 50, and his widow Eleanor daughter of John Eyles, died 1762, aged 45.

Small brass plates on the floor near this monument, mention some earlier members of this line viz. Joseph Eyles, (son of John Eyles, of Southbroom and grandson of Sir John Eyles,) who died 1739 aged 27, and Elizabeth his sister died 1715, aged 1—Mary wife of John Eyles, of Southbroom, Esq. and daughter of John Eyles, of Chalfont, Esq. she died 1744 aged 63.

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of *Approaching Morn* might be conceived for its representative; but no stretch of fancy can in their male associates, reach the symbols of *Fullday* and *Eve*, or in the females of the Monument of Julio II. the ideas of *Contemplative* and *Active Life*."—*(See Fuseli's fourth lecture.)*

A monument on the other side of the Chancel mentions Edward Eyles, fourth and only surviving son of John Eyles Esq. He spent the greater part of his life in foreign service and died 1792, aged 78.

Rt. Hon. George Heathcote. Lord Mayor of London on one occasion, and thrice representative of this Borough in parliament, died 1768 aged 68.

Maria widow of George Heathcote, and daughter of John Eyles, of Southbroom, died 1792 aged 85.

Katharine wife of George Flower, and daughter of John Eyles, of Chalfont—John her infant child died in 1725.

Josiah Eyles Heathcote, of Southbroom Esq. son of George Heathcote of London, by Maria eldest daughter of John Eyles of Southbroom, died 1811 aged 63.

Solomon Hughes died 1791 aged 79—Elizabeth his widow, died 1813 aged 77.

Sir John Drew, died 1660 aged 26.

Thomas Middleton Trollope eldest son of Sir Thomas Trollope of Casewick Lincoln, died 1779, aged 59.

Stephen Powell died 1825 aged 72—Katharine his wife, 1823 aged 67.

Henry Headley M. D. of Devizes, died 1830 aged 82—Susannah his wife.

Thomas and Elizabeth Wilde, and John and Anne two of their children, tablet erected in 1778.

Thomas Thurman, died 1777 aged 86 and his two wives Susannah, and Anne—John Thurman, his son, died 1764, aged 43.

William Wraughton Salmon Esq. of Southbroom, died 1826 aged 78. This monument is by Bailey.

Thomas Payne, M. D. died 1674, Willoughby his wife.

George Willey Esq. of New Park, died unmarried 1770 aged 75—William Willey, his brother who represented this Borough and resided in London, died 1763 aged 61.

James Sutton Esq. of New Park, died 1801 aged 68. He married Eleanor second daughter of Anthony Addington, of Reading M. D. and sister to Lord Sidmouth. (This marriage was the occasion of the introduction to the Borough, of his Lordship, then Mr. Addington.)

James the son and heir of the above family, died in 1781 in infancy—This monument also commemorates George, William, and Mary, other of their children.

Prince Sutton, Justice of the Borough died 1779 aged 78—Mary his wife, sister of George and William Willey—and 4 children, Willy, Mary, Sarah and Anne.

James Sutton, died 1778 aged 63—Anne his widow. Lying in the Beauchamp Chapel, are James Sutton died 1803 aged 45—and John died 1826 aged 58.

John Dick, M. D. died 1817 aged 29.

Robert Bruges, died 1815 aged 67, Alice his wife 1810 aged 59—and Robert Bruges Junr., 1815 aged 23.

Eleanor Holdsworth, widow of Winch Holdsworth of Chalfont Bucks, and daughter of John Merewether of Devizes, M. B. died 1758 aged 62.

John Merewether, died 1724 aged 69,—his wife Jane, 1725 aged 69,—Francis their son 1716 aged 22.

Anne Merewether, died in 1690.

Charles Innes, of London, second son of Edward Innes, Rector of Devizes died in 1824—His wife Anne, daughter of Thomas Neate, of Devizes.

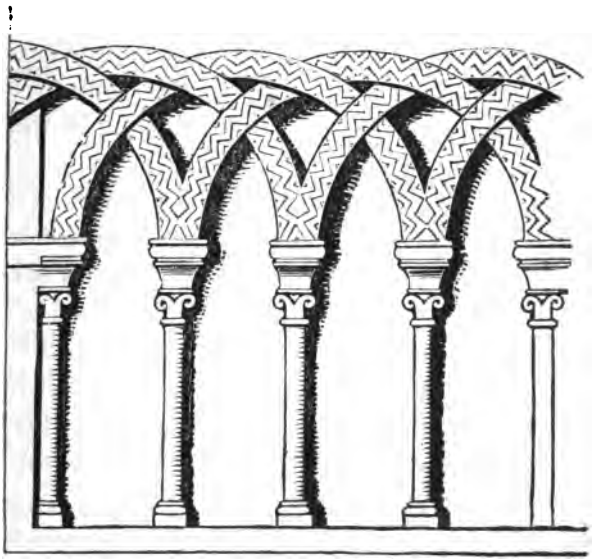
The name of Robert Byng D. D. who died 1658 is rudely carved on a wall near the Chancel.

Edward Innes. Rector died 1788 aged 67,—Elizabeth his wife 1809 aged 81.

Joseph Needham died 1778 aged 75—Mary wife of Joseph Needham Junr. died 1732 aged 19—Penelope a second wife 1736 aged 22.—Also Samuel Taylor five times Mayor of this Borough and Captain Commandant of the Devizes Volunteers died 1818 aged 82.—Sally his wife, and Captain Thomas Taylor and Lieutenant Samuel Taylor the former of whom died in the East Indies and the other in Portugal. Also Penelope and Elizabeth two of their daughters and Sally a third daughter who was married to Joseph Goodwin.

James Dyer, Rector of the parish lies in the Chancel also the Rev. John Walton who died 1745 aged 39 and possibly many other of the incumbents.

Elizabeth the wife of John Shergold, M. A. Rector, and John their son both died in 1726.



Intersecting arches in St. John's Belfry.

ST. MARY'S CHURCH.—In speaking of this church also, Mr. Britton's account is to a certain degree consulted—he says, "It consists of a nave, a chancel, two side aisles, a north and south porch and a tower at the west end, though from the different styles prevailing in its architecture, it has evidently been erected at various and distinct periods." The chancel which is evidently the oldest part of the whole, being in the earliest Norman style, has an arched roof formed with bold ribs, similar to that of St. John, a strong presumptive proof that the æra of their construction was one and the same—Intersecting arches also formerly adorned the chancel of St. Mary as in the other

church, and whereas in St. John's chancel, the walls have been so torn away as to preclude the possibility of ever restoring its primitive form; in St. Mary's the case is different, and when the restoration of the intersecting arches shall be completed here, the effect will be pleasing in the extreme.

The nave of this church is large and lofty, as well as the aisles, from which it is separated on each side by a series of five pointed arches springing from octagonal columns. The roof is constructed of dark timber of extremely elegant workmanship and is supported by large bracket-heads of Kings, Bishops and Ladies. A curious inscription on a part of this frame work reads as follows.

Orate pro aia wilmi smyth qui hanc ecclesiam fieri fecit et qui obit pri modie mensis maii Anno Dni. MCCCCXXXVI.

"Pray for the soul of William Smyth who caused this church to be built, and who died on the first day of May, in the year of the Lord 1436." It should have been written "*re*-built" as the porch is probably two hundred years older than the parts built by William Smyth, and the chancel older still. This porch which is on the south side of the building has a pointed arch with five zigzag mouldings, and is a specimen of the struggle which took place between what are commonly called the Saxon and Gothic styles. It is inconveniently placed, being nearly opposite to one of the pillars in the nave, shewing its existence to have been anterior to the body of the church.

There is another entrance under the tower, and the lower part of the tower appears to have been originally thrown open to the nave, by means of a very lofty and elegant arch. This effect has been restored by the present Rector, so far as the existence of the gallery will permit.

This church is entirely constructed of good firm stone but is much inferior in its masonry to that of St. John's. On different parts of the exterior are displayed sculptured heads and grotesque figures of men and of various animals. Under a canopy on the top of the east end, is a statue of the Virgin Mary with the infant Jesus in her arms placed on a pedestal having shields sculptured on the plinth, and inscribed with the initials of William Smyth. The Tower which is quadrangular is finished with four purfled pinnacles and a spire. It is 91 feet in height (not including the pinnacles,) and together with the turret by which it is ascended, forms an elegant and striking object. Similar battlements and pinnacles are disposed around the summit of the body of the church. From entries in the church-wardens books it would appear either that some of these pinnacles had to be restored, or else were erected for the first time about the year 1620. One payment is "for horse hire to see the pinnacles of the church" and might possibly furnish a hint to some antiquary of the turf as to the origin of steeple-chaces.

The monuments of St. Mary's church are but few in number. They commemorate

John Garth M. P. Recorder of the Borough who died in 1764 aged 63. His son Charles Garth also represented the Borough. In the chancel are two other monuments to the memory of his widow and children.

Abel Filkes a medical practitioner in Devizes for many years, has a tablet on the north side of the church. He died 1815, aged 65.

Near the south door of the chancel, outside the building stands a tomb, evidently of high antiquity. It displays a number of sculptured shields, charged with crosses and placed in quatre foil recesses; but having no inscription, the name of the deceased has long been lost.

St. James Chapel, commonly called the Green Church, is a chapel of ease belonging to the establishment, and under the parochial jurisdiction of Bishop's Cannings. The Chapelry is called Southbroom or Devizes Green, and is, properly speaking, a suburb of the town. Whether the suburb or the town be the older of the two is a question involving much difficulty and no less interest. As to the church itself, the Tower is the only part which has not undergone recent change. It is probably as old as Henry V's time. The upper part of it is highly decorated, resembling in this respect many of the Welsh Towers—Cardiff for instance.

Of the monuments in this church, several are to the memory of the family of Nicholas who formerly possessed considerable interest in the town and neighbourhood. The following are some of them.

Robert Nicholas, Esq. died in 1667, and Griffin Nicholas.

Sir Robert Nicholas. Justice of the Borough *"des les Devizes"* died in 1725 aged 64.

Robert Nicholas son of the above Sir Robert Nicholas died in 1712.

Oliffe Richmond Nicholas, son of Edward Nicholas, who died in his youth in 1767.

Bridget wife of Edward Nicholas, and daughter of Oliffe Joan Richmond of Ashton Keynes—also Jenny, wife of Edw. Robert Nicholas, and daughter of William Neate, of Devizes. Some later branches of the family are mentioned on the prostrate slabs in the aisle.

William Clare, Surgeon. Coroner for the County, died 1829 aged 82.

Henry Flower, died 1768 aged 51—Mary his wife died 1748 aged 70—Sarah Jones, her sister died 1743 aged 56.

John Flower, died 1788 aged 75. For some time Father of the Corporation. He resided in the house next to the present Mr. Ellen's, in the Green.

A pair of simple slabs against the west wall, mention the names of Robert Drew, and of his son Robert, and daughter Anne, the latter dying in 1693.

Jane Harrison, died 1837 aged 68.

Richard Reid, died 1790 aged 88. His wife Susannah died 1766 aged 64. Richard their son died 1792 aged 52.

Comparative dimensions of the churches of Devizes.—The height of the Tower of St. John, measured to the summit of the staircase-turret is 73, feet—the extreme length of the church is 114 feet, —width 68 feet.

The height of St. Mary's, to the top of the turret is 91 feet—extreme length 132 feet—extreme width 65 feet.

The height of St. James to the top of the turret is 67 feet—length 85 feet—width 60 feet.

The other places of Public Worship in Devizes are,

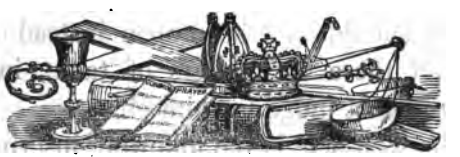
1st. St. Mary's Chapel, belonging to the Independent denomination, and situated in North Gate Street at the North West extremity of the Town. It was erected for Mr. Robert Sloper in 1776, and was enlarged in 1810. A tablet to the memory of that gentleman is placed over the pulpit which he occupied for so many years. Another monument records the death of the Rev. William Priestley minister of Fordingbridge who died at Devizes in 1827. Mr. Sloper was succeeded by the Rev. Richard Elliott the present pastor. For the charities and bequests connected with this and the other institutions of Devizes, the reader is referred to the parliamentary reports published by Government.

The Presbyterian Chapel in Sheep Street, was erected in 1792. Mr. Fenner was then pastor, who was succeeded in 1796 by James Biggs M.A. and subsequently by Mr. John Stacey Bunce.

The Baptist Chapel in Mary-Port Street was built in 1780. Long previous to this however, the members of this denomination had worshipped in a meeting-house in the Brittox. It is presumed that they are the oldest Dissenters in Devizes, and their origin is said to be coeval with the period of Cromwell's soldiers being in the town, when the Castle was taken. In 1705, there appear to have been 62 members, meeting in the above mentioned spot, Mr. John Filkes being then Pastor. In 1727 the name of Jacob Broadmead occurs, as occupying this post, and in 1729 that of Benja-

min Fuller. Mr. Fuller resigned in 1774 and was succeeded by Mr. James Pine in 1778, soon after which, the new Chapel was commenced. In 1792 in consequence of the decease of the last mentioned minister, James Dyer was ordained, and died in 1797. The names of Peter Feist in 1807. John Handforth in 1813, and Jacob Hitchcock in 1827 conclude the list, since which period there has been no regularly instituted pastor.

Besides these, there is a Wesleyan Chapel in New Park Street. The Quakers' Meeting House in High Street is now appropriated to the use of the Devizes Literary and Scientific Institution. The Quakers were formerly much more numerous in the neighbourhood of Devizes than they are at present. A small plot of ground at Hilworth is still called the Quakers' burial ground, and one of the roads leading to Roundway, bears the name of the Quakers' Walk.



THE TOWN-HALL, is a handsome edifice of modern erection, having a projection in front forming the segment of a circle, with four Ionic pillars attached, and a basement of rustic work. The ground floor is used on Thursdays as a Cheese market, and above is a large room in which public Meetings and Assemblies are held: also a court room and the other requisite offices for the trans-

action of the business of the Borough. The architect was Thomas Baldwin of Bath. The old Town-Hall occupying the corner of Wine Street, is now converted into dwelling houses and shops, and belongs to William Cunnington Esq.

"THE MARKET CROSS, was erected in 1814 at the sole expense of Lord Sidmouth as a memorial of his Lordship's attachment to the interests of the Borough, which he represented in several successive parliaments previous to his elevation to the peerage. It is built entirely of Bath stone by Benjamin Wyatt. The lower part of the structure is plain, with a buttress at each angle surmounted by an enriched pinnacle. The spire is an octagon with ribs and crockets at the several angles" and is otherwise tastefully decorated. The only fault of the structure is the small number of steps at the basement, and judging from the numerous beautiful crosses of the same kind which this country possesses, perhaps the lower compartment should have been open instead of solid-work, but these are matters of taste, in which every one must judge for himself.

On the west side is the following inscription.

THIS MARKET-CROSS WAS ERECTED BY
HENRY VISCOUNT SIDMOUTH
AS A MEMORIAL OF HIS GRATEFUL ATTACHMENT
TO THE BOROUGH OF DEVIZES
OF WHICH HE HAS BEEN RECORDER
THIRTY YEARS
AND OF WHICH HE WAS SIX TIMES UNANIMOUSLY
CHOSEN A REPRESENTATIVE IN PARLIAMENT.
ANNO DOMINI 1814.

On the east side is inscribed the following.

The Mayor and Corporation of Devizes avail themselves of the stability of

this building to transmit to future times the record of an awful event which occurred in this market place in the year 1753; hoping that such record may serve as a salutary warning against the danger of impiously invoking divine vengeance or of calling on the holy name of GOD to conceal the devices of falsehood and fraud.

On Thursday the 25 January 1753, Ruth Pierce of Potterne in this county, agreed with three other women to buy a sack of wheat in the market, each paying her due proportion towards the same; one of these women in collecting the several quotas of money, discovered a deficiency, and demanded of Ruth Pierce the sum which was wanting to make good the amount. Ruth Pierce protested that she had paid her share, and said "She wished she might drop down dead if she had not." She rashly repeated this awful wish, when to the consternation and terror of the surrounding multitude, she instantly fell down and expired, having the money concealed in her hand.

The narrative of this event was formerly inscribed on a tablet which hung in the market house. When that house was taken down, Mr. Halcombe who kept the Bear Inn, in order that the remembrance of it might not be lost, had it displayed on the base of a pillar supporting his sign which stood out in the market-place. In 1801 this sign was taken down, and the original tablet was re-erected.

The old market cross stood on a spot much nearer the entrance of St. John Street than the present one does. From the Chamberlain's books it appears to have been finished in the year 1674 and one John William is paid for a "neck stone and globe" to crown it withal.

It is singular that there is another monument in Devizes to record the untimely death of individuals in a manner which has been regarded almost equally in the light of a judgment as the case of Ruth Pierce. It is a small obelisk in St. John's church-yard, reposing over the remains of five

persons who were drowned at Drew's-pond on a Sunday in the year 1751.

THE OLD BRIDEWELL, in Bridewell Street is now disused. Howard the philanthropist does not give a very cheering account of it in his description of the Lazarettos of Europe published 1788. He adds "A prisoner named Thomas Platt, lately died in one of the solitary cells, and the verdict of the Coroner's jury was—Died by hunger and cold"—After this the allowance was augmented. The situation was never proper for a jail, being much too confined.

THE NEW COUNTY JAIL, on the Bath Road, was constructed under the direction of Mr. Ingleman, and is built partly with stone and partly with brick. It is of a polygonal shape and the Governor's house occupies the centre. The last official report furnishes the following particulars.

"The Governor's house overlooks all the yards, and the building is very secure. There are eleven wards and eleven yards, 10 belonging to the men and one to the women. Total number of cells 210. Dimensions of what are termed single cells are 10 feet high, 7ft. 3in. wide, and 8ft. 3in. long. That of the women's 7ft. high, 5ft. wide, and 7ft. 5in. long. These form the chief blemish of the Jail. They are placed just opposite to one another on each side of a narrow passage, and over each door is a large aperture by which means they can converse commodiously. The women use a day-room common to all. No slates or writing are commonly permitted. The turnkeys, miller,

and porter are chosen by the Governor, and their salary fixed at the Quarter Sessions. During 14 years there has occurred no attempt at suicide, nor any alarm of fire. Two endeavoured to escape but were re-taken. The average number of prisoners is about 700.

Salaries. To the Governor per annum £250. The Matron £30—Sub-Governor £60—Turnkey and Miller £46 each—Three Turnkeys at £42 each —one Porter £25—Chaplain £150—Surgeon £80 —No Officer has any perquisite.

The diet consists of 2lb. of wheaten bread and one pint of gruel made of oatmeal and potatoes. On Wednesdays and Fridays, in lieu thereof, vegetable soup. Those on the wheel are allowed an extra biscuit. This wheel grinds corn for the prison and for the public. There is also a crank for raising warer. Other occupations are white-washing, baking, cooking, and cleaning. The hours of labour are in summer 9½ and during the rest of the year never less than 6¾. The profits of the labour are about £30 which is appropriated to the County.

The present Chaplain (Mr. Mayo) has been in office since 1822 and he also assisted the former Chaplain 2 years. He reads prayers daily besides preaching once every Sunday. (The Commissioners have recommended that in the Chapel every prisoner should be isolated, in order to avoid recognition.) The Chaplain keeps two Journals, one private and the other public, in the former of which he takes note of the birth, education, and

character of the prisoners. He visits all, on admission, and converses with them; he forms them into classes of from 15 to 18, and after reading the lessons every day assembles them for the purpose of instruction. He makes the remark that in no case, in which he has interrogated them as to whether or not they had ever received the sacrament, has he ever received a reply in the affirmative. On the subject of re-committals he says, that he has observed that those who have been flogged, often return to the prison; and adds that flogging is usually deferred to the last period of the term of confinement, instead of being inflicted at the first. The culprit accordingly leaves the place, degraded in his own estimation, angry, excited, hating all mankind and ripe for future mischief. Those also who have been placed in the infirmary often return to the prison, and he believes it to be a fruitful source of corruption, and thinks that the infirmary should be attended by a wardsman who is not a prisoner. Some time ago, the Chaplain applied to the magistrates to give permission that certain ladies in the neighbourhood might act as teachers to the females, but this was declined. The women rarely ask to see the Chaplain, but when they are ill, he visits them of his own accord. He himself is friendly to short imprisonment with confinement to the cell, without work, for 20 days.*

* Since the above was written, our esteemed friend and townsman, has with his family quitted England for the new World. They left Devizes in May 1839.

The Surgeon's regular visits are twice a week. A table which he has drawn up, proves by the comparative weight of the prisoners on admission and dismission, the favourable effects of the discipline and diet on their health. Out of 500 weighed from the 25 March, 1835, to 25 March, 1836, there were hardly a dozen who had not gained in flesh.

The Literary and Scientific Institution of Devizes was established in 1833; Mr. Estcourt, the President, delivered the inaugural address, on which occasion he was supported by Captain Tayler (who had exerted himself considerably, to found the Society) Rev. R. Elliott, Rev. C. Lucas, Rev. G. Majendie, Dr. Brabant, Mr. Salmon and Mr. Paul Anstie.

The Board of Health established in the town for the purpose of taking means to prevent the progress of the Cholera, had this dreadful disease unhappily visited the neighbourhood, discontinued its meetings and discharged the persons employed, as soon as the malady had fairly left the kingdom. The whole expense from Nov. 1831 to March 1833, including the rent of a house for a year, use of furniture, half the salary of a Street Keeper (the other half being paid by the Mendicity Society) salary of a servant, advertising &c., amounting to £65 was paid by the overseers of the two parishes of the Town and of the chapelry of St. James in proportion to their rates.

The Mendicity Society was established for the purpose of relieving and transmitting paupers and

has fully answered the expectations of its supporters. Nearly 1600 were relieved during the first year of its existence. Besides these, a variety of other institutions of a civil, charitable and religious nature have from time to time been founded in the Town, such as the Benevolent Society in 1829. The Dispensary in 1832. Several Schools —A Bank for Savings—A fund for supplying the poor with Coal at a reduced price, &c. &c.

The County Subscription Reading Room and Club was established Oct. 1, 1828. Held at the Bear Inn. Mr. T. B. Smith, Secretary.

COUNTY HOSPITAL. The desirableness of erecting a Hospital at Devizes for the benefit of the northern and central parts of the country has long been acknowledged, and notwithstanding that the scheme has been agitated for many years, and most liberal subscriptions have been tendered from various quarters, it has hitherto fallen through. The proposal was, first brought forward by Dr. Headley at a meeting of the town's people in 1824 but remained in abeyance till 1832 when it was resolved to give the matter another examination, and a meeting was accordingly held at Devizes in February of that year, which however resulted in little more than the former one had done.

TRANSFER OF THE ASSIZES. This like the above, was a question arising out of the respective localities of Devizes and Salisbury in the County. On the 9th of April 1834 a requisition signed by nearly 200 of the inhabitants of Devizes was presented to the mayor, requesting him to solicit the at-

tendance of the gentlemen of the vicinity, for the purpose of forwarding the proposed plan of procuring one at least of the Assizes to be held at Devizes instead of Salisbury; and a meeting was accordingly convened, when Sir Philip Durham, M. P. for Devizes, (who on this as well as many other occasions exhibited great alacrity in pushing the interests of the Borongh,) opened the proceedings by putting his name down for £500. So spirited a commencement could not fail of producing a corresponding demonstration of liberality in others. Several of the neighbouring gentry contributed £200 each, nor were the inhabitants themselves slow to manifest a similar good will to the cause, many gentlemen adding £50. The speakers on the occasion, other than Sir Philip, were Mr. Sloper, Mr. Locke, Mr. T. B. Smith, Rev. Thos. Methuen, Dr. Tomkins, Mr. Trinder, Mr. Wall, and Mr. W Tanner.

THE BRITTOX—The original signification of this unique name for a street, has been the occasion of frequent discussion and hypothesis; though a very satisfactory solution is to be found in several of the old French and Latin dictionaries and glossaries of the middle ages. The French word is *Breteche, Breteque* or *Bretesque,* principally used in Flanders, and signifying the public spot in a town, from which the Crier made proclamations of justice, or other announcements. Nothing can be more simple, but should this not be deemed sufficiently explanatory, there are a variety of other meanings. One authority states it to signi-

fy also an embattled tower *(une fortresse a creneaux)* and derives it from an old Italian word *Bertesca,* which was applied to a species of barrier ordinarily placed before the gates of palaces. In Dufresne's glossary we meet with another meaning, viz. that it was used for the projecting parts of a building, whether constructed of wood or stone, and quotes from " *Consuetudo Scabenatus Atrebat. Art.* 15. Un possesseur d'un heritage, ou de plousieurs, ne peut faire *bretecques,* bontures, saillies, ne outres choses sur la rue a l'endroit desdits heritages, ou prejudice de ses voisins." In the Latin of the middle ages, it is written *Bretachia,* and its signification sometimes embraced even the walls of a town or castle. In a passage in "*Gulielmus Armoricus de gestis Philippi* 1202" it is evidently applied to temporary fortifications constructed for the purpose of taking some citadel. The passage, (translated) is this. "He caused to be built double Bretecques (*Brestachias duplices*) in seven different spots, viz. fortified wooden castles, uniformly distant one from the other, surrounded with double quadrangular ditches and furnished with draw-bridges thrown between. He filled with men, not only these castles, but also the whole intervening space of the ditches, and thus encompassed the beseiged party.

While on the subject of ancient names, it may be observed that the appellations of *Gallows-Acre* and *Gallows-Ditch* belonging to a field and road at Hillworth, have been explained by the supposition of that elevated spot having been chosen as

the Tyburn of Devizes, at the period when the jurisdiction of life and death was attached to the Castle. This jurisdiction was typified by the expression *Furca et fossa, gibbet and foss* or *gallows and ditch;* the first mode being adopted in the case of men, and the latter, or drowning, in that of females; or for purposes of ordeal.

Crammer Pond may mean Merchant's or Mercer's Pond; or it may be derived from one Dame Cramer who formerly inhabited Southbroom, and conveyed certain lands to the parish of Bishop's Cannings, (this latter is Mr. Thomas Smith's suggestion.) Many former names of spots in the town mentioned in the recitals of the Chantry revenues are now lost; such as *Scammell* in the Old Port, *Lulle-ditch* and others. *Old Port* is synonymous with St. Mary's parish, *New Port* with that of St. John.

Mr. Hatcher of Salisbury considers that *All-Cannings* is a corruption of *Eccl. Cannings*, an abbreviation which the scribes would naturally make both in speaking and writing of *Ecclesia Cannings.* It was so called in contradistinction to *Episcopi Cannings* i. e. *Bishop's Cannings.*

The subject of the ancient sewers of Devizes is one which has given rise to much enquiry and hypothesis. The vast size of these aqueducts and the extent of ground which they traverse certainly render them objects of considerable interest; but the absence of any account of their origin leaves little more to be said about them, than that the construction of such an expensive work, at so re-

mote a period, affords very palpable evidence of the importance which the town had acquired at an early age. The preamble to Charles I's Charter to the Borough alludes to its decayed splendour, attributing it to the interference of foreigners in the manufactures; notwithstanding which, in Fuller's "Worthies of England" written in Cromwell's time, Devizes is stated to be "the best and biggest town for trading in the Shire." This is certainly not the case at the present day; though it may perhaps be added with truth, that what importance, relatively speaking, the town has lost in matters of trade, has been re-derived through other channels.

The manufacture of cloths became extinct about the year 1828. The process of malting was formerly carried on extensively, and the manufacture of snuff has been established for many years. The Windmills on the Castle Hill were at one time used for this purpose, previously to which they were employed in making rape-oil. The population of the two parishes in the old Borough, was latterly as follows.

Year.	1801	1811	1821	1831
St. John's.	1570	1769	1972	1973
St. Mary's.	1977	1981	2236	2589
Total.	3547	3750	4208	4562

The proportions of females to males being about thirteen to twelve.

TABLE shewing the registered Baptisms, Burials and Marriages within the limits of the old Borough during 20 years.

	BAPTISMS.			BURIALS.			
Year.	Males.	Females.	Total.	Males.	Females.	Total.	Marr.
1811	44	52	96	37	20	57	41
1812	44	34	78	20	24	44	26
1813	45	40	85	26	34	60	14
1814	39	43	82	37	42	79	13
1815	52	39	91	36	36	72	31
1816	39	43	82	37	47	84	30
1817	45	47	92	33	34	67	29
1818	34	37	71	22	29	51	29
1819	38	34	72	27	36	63	27
1820	42	43	85	24	25	49	22
1821	48	36	84	31	37	68	44
1822	47	42	89	42	36	78	25
1823	33	41	74	45	36	81	23
1824	44	36	80	37	27	64	25
1825	33	43	76	32	32	64	27
1826	38	38	76	41	38	79	32
1827	46	57	103	35	39	74	31
1828	60	39	99	29	20	49	20
1829	42	53	95	61	41	102	22
1830	52	31	83	33	23	56	31

In a geographical sense, Devizes stands on the edge of an irregular extent of elevated land of considerable altitude, which land nevertheless forms the base of a vast valley running up due-west for several miles. The height of the town above the level of the sea in the Bristol Channel is about 424 feet, and this circumstance combined with the exposure of its situation, renders it perpetually subject to the effects of winds. The air in consequence is characterized as cold and sharp, but is not unfavourable to health, if a judgment to that effect may be formed from numerous instances of longevity.

In a geological point of view, it stands upon the formation called the green sand, one of the series of beds reposing between the chalk and the oolites, and which is of considerable thickness at this spot. Being of a porous nature, it is necessary to pierce to a great depth to obtain a sufficiently abundant supply of water—many of the wells in Devizes are in consequence more than 90 feet deep. That at the parsonage of Potterne is 126 feet.

The Iron-sand or lowest bed of this series often contains brown oxide of iron in such considerable proportions as to have rendered it in former days, worth the working as an ore of that metal, while the forests of the country were still in a state to afford a ready supply of fuel on the spot. Several tracts in the neighbourhood of Devizes testify by the quantities of scoriæ of melted iron scattered over them, that such was the case in these parts. Under Beacon-down Hill in particular,

and the vicinity of Bromham, as well as in some fields in the Old-park, these traces are visible. The character of this formation may be best estimated, where it emerges from beneath the clay at Foxhanger west of Devizes. It there consists of a pudding stone, composed of rounded quartz, whose cement is siliceous with a red calx of iron, containing ore formerly in much request for the furnace and forge, and constituting the material whence the ancient Britons wrought their Quern Stones. *

ROUNDWAY-DOWN is the abrupt termination of a long ridge of Chalk hills which stretch westward from the south of Marlborough. We have already had occasion to notice it in connexion with the decisive action of which it was the scene, but it is difficult to refrain from adding a few words on the subject of the ancient entrenchment popularly called Oliver's camp, a spot to which so many early footsteps have been directed, and which will continue to form the terminus of many an agreeable ramble to successive troops of visitants. The following notices of it are from the pen of Sir Richard Colt Hoare.

"From thence I directed my course to the very conspicuous eminence above Devizes, called Roundway hill, on which there is an earthen work commanding an extensive and delightful view. A few barrows dispersed over the hill remind us of former times, but I could not discover any decisive settlement of the Britons. Amongst the

* See Philips' and Conybeare'sGeology.

papers of the late Mr. Cunnington I find the following remarks made by him relative to the ground. 'This little earthen work is situated on the western extremity of the hill upon a high point of down projecting towards the village of Rowde. It has an entrance from the down, guarded by a single rampart; on the other sides it is rendered inaccessible by nature. The whole area of the camp does not contain above two or three acres. It has not the appearance of a very old work, and was probably no more than a signal post, as it commands a large extent of country. It might have been an exploratory camp of the Romans, attached to the neighbouring station of Verlucio. Upon the highest point of the hill near the stone quarries, we found coarse pottery and nails, but the former is not of the ancient British manufacture.'

'We opened two Barrows on the Hill, the first was a small circular tumulus on the right hand as you reach the summit from Devizes. At the depth of 4½ feet it produced a skeleton lying from North to South, but without any accompaniments either of arms or trinkets. The second barrow lies farther to the East and near to the stone quarries, it is circular in its form and about 2½ feet in elevation. At the depth of 4½ feet we found a skeleton lying from West to East, and with it an iron ring and thirty bits of ivory, in form and size like children's marbles cut in two. These articles were intermixed with a large quantity of decayed wood which was probably once attached to the ivory.

This earthen work has been assigned both by Camden and Aubrey to the Romans the former of whom thus mentions it in his description of Wiltshire. 'On the utmost part of Roundway Hill which overlooks the town of Devizes, there is a square single trenched camp, that seems to point out to us the presence of the Romans in these parts, and there have been discovered in the neighbourhood of this place, several hundred pieces of ancient Roman coins of different Emperors, and within a few yards, several pots without coins, but supposed to be of the same antiquity."

Mr. Aubrey in his manuscript collections says "On Roundway down is a Roman Camp. It is situate upon the end and promontory of the hill looking over the town. At the angles, the tumps are higher and bigger than the rest of the rampire. This Camp seems to have for its antagonist, Oldbury."

After the opinions of so many antiquaries, it would be idle to propose any further conjectures. Sir Richard Hoare conceives that the removal of British residences from the high to the low ground took place at a considerable time after the invasion of the Romans, "for on some of the highest points of land, (he observes) we find the most evident traces of Roman workmanship, in painted walls of stucco, fragments of Hypocausts &c. a convincing proof that the Romans had associated with the Britons in these their elevated and pastoral abodes."

The height of Roundway above the level of the

canal at Devizes is 310 feet at the spot occupied by the smallest plantation. The summit of Morgan's hill is 520 above the same level, or nearly 1000 feet above the level of the sea. In Stukeley's time a gibbet stood on that eminence, and the appellation of Morgan's hill may possibly have been derived from the name of the felon who hung thereon. The engraved view which the Doctor made of this hill was for the purpose of delineating the remarkable junction which there takes place between the Wansdyke, and the Roman Bath-road, occasioning the former to forsake its serpentine irregular track, and suddenly to adopt the straight forward line of the Romans. This looks as if the Wansdyke must be the more recent formation of the two, and renders very doubtful Dr. Stukeley's suggestion, that it formed one of the limits of three distinct conquests by the Belgœ. An old French writer thus disposes of the question in very few words. "Les habitans l'appellent Wansdyke qu'ils disent avoir estè creusè par un mauvais Demon un Mercredi." That it was the boundary of some Roman territory, is as difficult to substantiate from history as to deduce from the character of the work itself.

The route over Roundway Hill, or more properly, over Beacon-down Hill from Bath, which was commonly adopted in former days, was the occasion of the Sovereigns in their western journies or progresses, passing through Devizes less frequently than they would otherwise have done; and the castle as a royal abode, having ceased to exist, the town itself cannot be supposed to have

possessed many accommodations for the residence of a Court. Laycock and Bromham House were the more usual stopping places for royalty in this vicinity, the latter place lying immediately upon the route. In April 1613, Anne the queen of James I. made a progress to Bath for the benefit of the waters. On her way back, in the June following, we learn from Anthony à Wood, she passed through the parish of Bishop's Cannings very near to Devizes. "The vicar of the parish George Ferebe M. A. of Magdalen college Oxford, was a Glostershire-man born, and being well skilled in musick, did instruct divers young men in his parish in that faculty, till they could either play or sing their parts. On the 11th of June, the Queen on her return from the Bath, did intend to pass over the downs at Wansdyke within the parish of Bishop's Cannings; of which, Ferebe having timely notice, he composed a song of four parts, and instructed his scholars to sing it very perfectly, as also to play a lesson or two which he had composed, on their wind-instruments. He dressed himself in the habit of an old Bard, and caused his scholars whom he had instructed, to be clothed in Shepherd's weeds. The Queen having received notice of these people, she with her retinue made a stand at Wansdyke. Whereupon these musicians drawing up to her, played a most admirable lesson of four parts, with double voices, the beginning of which was this—

Shine oh thou sacred Shepherd's Star
On silly swaynes, &c. &c.

Which being well performed, the band concluded with an Epilogue, to the great liking and content of the Queen and her company."

This lesson, as it was called, was published soon after. It is described in the books of the Stationer's Company as "A thing called The Shepherd's Song before Queen Anne, in four parts complete musical, upon the playnes of Salisbury."

These sort of pageants, which were quite the fashion at that time, appear to have been anything but disagreeable to the persons for whom they were got up. "The Queen (writes a Mr. Chamberlain from London, 10th June—see Winwood's memorials) is not yet returned from Bath and thereabouts, having been at Bristol, and received, great entertainment at divers places, with which and the country sports they made her, she is so well pleased, that it is thought she will make more such progresses."

Master George Ferebe was afterwards sworn Chaplain to his Majesty King James "and was ever much valued for his ingenuity." He published in 1615 "Life's Farewell" being a sermon preached in St. John's Church Devizes, from 2nd Samuel xiv and 14, at the funeral of John Drew, Esq. (*See Nicholl's Progresses.*)

James I may be said to be an exception to the remark made above relative to the passage through Devizes, as there is certain evidence of his having come through it on three occasions viz. in 1613, 1618 and 1623. The object of his progresses was as much to display the schoolmaster as to dazzle

with the blaze of royalty, and accordingly we find him often turning aside to examine objects which claimed attention. He was frequently in these parts, and his route from Lord Pembroke's seat at Wilton * to Sir Edward Bayntun's at Bromham House would naturally lead him through this town. While stopping at Bromham in 1618 he knighted Sir Rawlyn Bussey on the 1st. of August; and while on another visit there in 1623, he writes to his "sweete Steenie" announcing to him a present of £2000 from the East India Company. *(printed in Ellis's historical Letters)* It was stated a short time since in the Devizes Gazette, that "the mansion at Bromham is reported to have been bombarded by Lord Wilmot after the battle of Roundway, and beaten to the ground" —"That Sir Edward Bayntun the then proprietor, acted at the period of the Civil Wars as Commissioner to the Parliament, and in that capacity might have rendered himself obnoxious to the victorious party." The papers of the time do not mention any such bombardment just then, and it is therefore presumable that the circumstances

* Inigo Jones, relates that in 1620 he was discoursing one day with king James, and the Earl of Pembroke at Salisbury on the subject of Stonehenge. Whereupon "I received, (he continues,) his Majesty's command to produce out of mine own practice in architecture and experience in antiquities abroad, what possibly I could discover concerning this of Stonehenge" He accordingly set about the task, and made the astonishing discovery that it was erected to Cœlus the father of Saturn, between the ages of Agricola and Constantine, and had been constructed in the Tuscan order.

which occurred there in 1645 and which have already been noticed in the transactions of that year constitute the origin of the tradition. Speaking of the site of this ancient seat, the writer (Mr. Money of Whetham) adds "The traces of extensive building are very discernible, though little of the antique remains with the exception of a carved corbel or two, and a subterranean passage leading, no one knows whither (though it is said, to Laycock Abbey) This passage runs under the garden, where the entrance was filled up a few years ago. A rampart of earth called "The Battery" enclosing an area of about seven acres, surrounds the premises, from which it may be inferred that the house was castellated."

In the account appended to Dore's Plan of Devizes, the name Roundway is regarded as a corruption of "Roman-way" in consequence of the comparative proximity of one of those ancient tracks; though there seems small reason why the designation of this part of the Downs in particular should bear allusion to a line two miles distant from it; the name of Roundway being properly applicable only to the headland immediately over against New-Park or the village of Roundway. May we not rather assume that this hill derives its name from the village, and that this again is so termed; as lying in the ancient road from Horton to the town of Rowde, thence denominated Rowdeway or Rowndway. The spelling of the name of this latter place in the public records is very various: we meet with Rudes or Ruda—

Rondes—Rowndes—and Ruges ; though the most ordinary mode of expression is undoubtedly, "Villa de Rudes." The part of the hill outlying immediately beyond Oliver's Camp is called Beacon-down Hill, corrupted to Bagdon Hill; and the engagement above referred to, has sometimes been designated by it. It is so called in an entry in the parish register of Rowde, which Mr. Money lately presented to the public, (See the Devizes Gazette 25 July 1839.) The extract is as follows.

"1643. William Bartlett the son of Mr. Robert Bartlett of Churton, who was slain in the fight on Bagdon Hill, was buried July 14th."

In connexion with this, is appended another entry from the Churton Register, as follows.

"July the 13th, being Thursday, 1643, was the great fight on Roundway Hill, in the which William Bartlett was shotte in the forehead, and was buried in martial wise at Rowde. He was chief quarter-master to the noble Colonel Sands, and he was baptized (*ut patet*) 26th March, 1615. A cloud like a lyon rampant azure, was on the armye fighting."

This latter entry, it was observed, was inconsistent with Lord Clarendon's account, since he describes the Earl of Hertford as escaping from Devizes on Sunday night, the 9th July, and Lord Wilmot returning and fighting the battle of Roundway on Wednesday. It is the historian who is at fault in this case, and from trusting to his apparent fidelity in details, the error was overlooked in the present narrative, (see Chapter V.) but a more careful examination of the accounts published at the time, shews distinctly that Hertford left Devizes on *Monday* night, and that the

cavalry returned on Thursday at four in the afternoon. A short but very explicit statement of those events with their dates, is contained in "A true relation of the late fight between Sir William Waller's forces and those sent from Oxford, written by a Colonel in his army at Bristol to a friend in London," 1643. By the assistance of that and other accounts, we will briefly recapitulate the proceedings of each day.

July 9. Sunday, Lord Hertford leaves Chippenham, but is overtaken at Sir Edward Bayntun's park, where a skirmish ensues, and the Royalists are chased from hedge to hedge till they reach Devizes—Waller retiring to a large moor at Rowde.

July 10, Monday, Waller goes over Bagdon hill, and descends to the village of Roundway—sends Major Dowett to encounter Lord Crawford coming from Marlborough—returning to Devizes perceives the whole body of Hertford's cavalry with the foot, posted on the rising ground N.E. of the town, looking out for Crawford's arrival. They retreat into the town, and Waller takes up his own position on the said hill—falls on the town during the night "though coldly." "Hertford retreats privately from the Vize through his park (perhaps New-Park) towards Oxford."

July 11, Tuesday, The seige is carried on with vigour, and the place defended with great bravery.

July 12, Wednesday. Heavy rains during the day, nevertheless Waller forces the outworks and guards—grants a parley of 2 hours which is extended to 8 hours.

July 13, Thursday. It was intended to make a desperate assault on the evening of this day, when 2000 or according to others 2,500 horse suddenly arriving from Oxford, engaged with Waller and put him to the rout.

Recurring once more to the old Bath road over the hill (not the Roman road) a trifling circum-

stance may be added, viz. that in or near the year 1689 the Princess of Orange with a long train of baggage waggons, passed by this route over the downs; and such was the excitement prevailing by reason of the events which had just unseated James II, that tradition says, so many persons went out from Devizes to see her pass, that the town was literally emptied of its inhabitants. Owing to the severities of Judge Jefferies, the people of the West had lately seen swimming before their eyes (to use an expression occurring in a letter of that period) "the visions of so many gibbets," that we cannot wonder at the eagerness with which the Prince's arrival in England was greeted in this and the neighbouring counties. Among the accompts of his receipts and disbursements immediately after his landing (preserved in the Harleian MSS.) is the following entry.

Received of William Trenchard as being presented to his Royal Highness the Prince of Orange, his now Majesty, by the Clothiers of Wiltshire, £250.

The name of William Trenchard occurs in page 259 of this History, as a petitioner to the House of Commons, about that same time, relative to an alledged undue return of Burgesses.

New Park. At the foot of Roundway hill, and one mile distant from Devizes, is situated the Mansion of New Park. The present house was built by Samuel Wyatt, architect, for the late James Sutton Esq. at whose death it came to Thomas Estcourt Esq. in right of his wife, only daughter and heiress of James Sutton, and niece

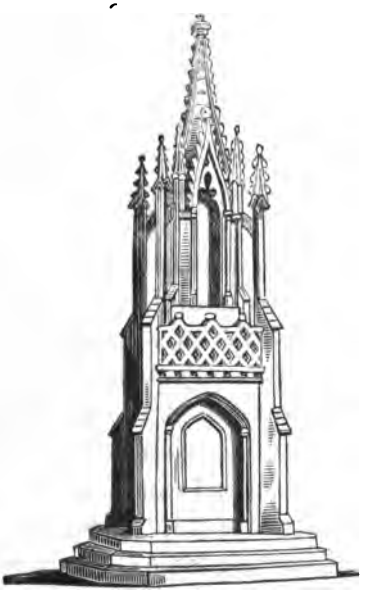
to Lord Sidmouth. It contained a few good pictures, 1st. A Portrait of the Rt. Hon. Henry Addington (afterwards Lord Sidmouth) in his robes as Speaker of the House of Commons, painted by Copley—2nd. Rustic figures in a landscape, by George Morland, and 3rd, A landscape with figures by Gainsborough. Thomas Estcourt Junr. Esq. who quitted the house in 1837, carried the paintings to his residence of Bowden House.

The park was thus described many years ago, by Mr. Repton a landscape gardener. "All the materials of natural landscape seem to be collected if not actually displayed within the pale of this beautiful park. It presents every possible variety of shape in the ground, from the cheerful and extended plan, to the steep hill and abrupt precipice. The surface is every where enriched with wood of various growth and species, either collected in ample masses, or lightly scattered in groups and single trees. Such are the natural advantages of fore ground, to which must be added the richest prospects of distant country; and while nature has been thus bountiful, art has also lent assistance under the direction of Mr James Wyatt, to decorate the scene with a building of the most elegant form. The house at New Park, in a lasting monument of the contrivance and good taste of that ingenious architect."

Mr. Repton, was a man of some considerable notoriety in his profession. When consulted about the improvements and embellishment of parks and other pleasure grounds, his practice, after survey-

ing the whole, was to write a description of the same in a book bound in red morocco, which was then left with the proprietor of the estate, and called the *Red Book*. In these descriptions, he illustrated his precepts by numerous drawings, depicting the various scenes as they actually were, and also as they would appear, if altered according to his suggestions. *(See Beauties of Wiltshire.)*

If the water from Roundway could possibly be so applied as to constitute a prominent feature in this Park, their are few estates in England with which it might not vie, as far as natural beauties go.



CHAPTER XI.

BIOGRAPHICAL SKETCHES—RICHARD OF THE DEVIZES—JOHN OF THE DEVIZES—ROBERT DE VISE—WILLIAM PRIOR—DR. PHILIP STEPHENS—JOSEPH ALLEIN—THOMAS THURMAN—DR. JAMES DAVIS—JOHN COLLINS—JOHN ANSTIE—EVAN THOMAS—SIR THOMAS LAWRENCE.

It now remains to cull from past generations the names of such of the natives or residents in Devizes, whose memory, from local associations it may be interesting to preserve, though but few of them can be said to have assumed any degree of prominency in the page of history. We begin with

RICHARD OF THE DEVIZES. The exact period of his birth is unknown, but it must have been near the middle of the twelfth century. He was bred in Winchester, and subsequently entered the order of Benedictine Monks in that city, amongst whom he acquired considerable distinction by his learning. His principal works are a "History of the reign of King Richard," and of his exploits in Palestine" and an "Epitome of the British affairs," both of which he dedicated to Robert Prior of Winchester. The former of these, in manuscript

is preserved in the Cottonian library in the British Museum, under the head *Domitian No.* 13. This Monkish historian died at the commencement of the thirteenth century.

JOHN OF THE DEVIZES, was made a Citizen of Salisbury, and became a person of considerable influence there, during the reign of Edward II. His name appears, among the parliamentary writs, as a Burgess returned for that city in 6th. Edw. II. at Westminster. He is also mentioned as one of the arbiters in the adjustment of a fierce controversy which took place about that time between the Bishop of Salisbury and the Burgesses of the City.

ROBERT DE VISE, is mentioned in "Weever's funeral Monuments" as having in conjunction with two other individuals, founded a College at Bradgare in the diocese of Canterbury. The date is not mentioned.

WILLIAM PRIOR, is the name of a native of this town, who in the days of Henry VII. fell under ecclesiastical censure, for holding Lollardy or professing the principles of Wickliffe (for these terms were synonymous.) He was cited at Salisbury and induced to recant, but repenting of the step, and resuming his own professions, was delivered to the flames in that city as an incorrigible heretic, in the year 1507.

DR. PHILIP STEPHENS, was born in Devizes in the early part of the seventeenth century. He was educated for the profession of medicine at St. Alban's Hall, Oxford, where he took his degrees and shortly after was elected fellow of New

College, by the visitors in 1655, whence he was translated as principal to Hart-Hall. He was conjointly with a Mr. Brown the author of a work entitled "Catalogus Horti Botanici Oxoniensis" published in 1658. He died in London, a short time subsequent to the Restoration.

Joseph Allein, a distinguished non-conformist divine was contemporary with the above, having been born in 1633. According to tradition, his birth happened in a house occupying the site of one near the market house (lately occupied by Mr. Fowler.) Mr. Allein was early in life educated for the ministry of the established Church, and at the age of 16 was sent to Lincoln College, Oxford, whence he was removed in 1651 to Corpus Christi College on a Wiltshire-scholarship. In 1655, we find him acting as assistant to Mr. Newton a clergyman of Taunton, where he continued to officiate till ejected for his nonconformity in 1662. He now commenced preaching privately, but his zeal speedily attracting the malice of his persecutors, he was thrown into Ilchester Jail, tried at the assizes, and sentenced to pay one hundred marks, or remain in prison till the fine was discharged. He lay there accordingly upwards of a year, and when at last set free, attempted to renew his ministerial labours with his former ardour, and was again subjected to an imprisonment which lasted sixty days. These two trials broke his constitution; he survived the last but three years and died in 1668 at the age of 35. His body was buried in the church of St. Magdalen at Taunton.

The writings of this divine are numerous, and some of them have been frequently reprinted. His "Alarm to the Unconverted," is the work by which his name is most popularly known.

THOMAS THURMAN, was a man who was held by his fellow townsmen in vast esteem during the day in which he lived. His residence was the house in Wine Street, now (1839) occupied by the North Wilts Banking Company, where he amassed considerable property in trade. He was father of the Corporation for many years, and a leading man in the town, by whom he was looked up to as a patriarch, and consulted as a kind adviser, and his name appears in most of the executorships of the day. His monument in St. John's Church is inscribed with a long list of his benefactions and charities to the poor; besides which, he contributed considerable sums towards erecting the altar piece, and embellishing the chancel of the church. He died in 1777, aged 86.

JAMES DAVIS, M.D. practised as a physician in this town during a portion of the early and middle part of the last century. Whether or not this gentleman was a native of Devizes is uncertain. His work on its antiquities, so large a portion of which has already come under our notice, was written in the years 1750 and 1751, in the form of familiar letters, and was published in 1754 and afterwards reprinted in Charles Dilly's "Repository of wit and humour" in 1783. From a note in that work, it appears that he had travelled as far as Greece, and that he stole on that occa-

sion from a library at Mount Athos, a Greek manuscript of Soranus on medicine, at the imminent peril of his life. Among what are termed the "additional manuscripts," in the British Museum, are some other of Davis's letters from Devizes, of a date antecedent to the above. They are addressed to Professor Ward of Oxford, and were written with a view to aid him, in a projected supplement to Horsley's Britannia. He intended to publish other letters after writing those about Devizes, but failed in obtaining the requisite number of subscriptions, "He left a large book," says his publisher "about Stonehenge, not quite finished. He seems only certain that it was erected by some of the sons of Adam, but whether by Danes, Saxons, Romans, Britons, or Antediluvians, he left undetermined, till he had perused Geoffrey of Monmouth," and others. In character, Dr. Davis appears to have been of a warm and friendly disposition, and to have possessed a considerable share of real candour and openness. As a satirist, the "Origines" place him far above mediocrity, either in his own or the present day.

JOHN COLLINS is a name familiar to many still living in Devizes. He was an antiquary in mind, manners, and dress. Instead of detailing the various anecdotes which keep alive his memory, a letter of his is here appended which unfolds the man in his own words. It is addressed to Mr. Edw. Poore of Queen's College Oxford, and professed to be an account of his (Collins's) ancestry; but whether or not he had sufficiently good autho-

rity for claiming kindred with all the pers
therein mentioned, does not appear. One in
dent which he recites, claims considerable intere
viz. James II's visit to the town, a circumsta
which must have happened in the first year of
reign, and just before the landing of the Duke
Monmouth. The king appears from the nar
tive, to have reposed great trust in the loyalty
the Borough; concluding, no doubt, that t
dissenting interest was not quite strong enou
in Devizes to have given the Duke much coun
nance, however the neighbourhood might ha
been affected. The letter in question, or at lea
the principal part of it is as follows;

"Sir.—As there is in most a curiosity to
acquainted with the rise, progress, and if it
happen, with the declension of their acquaintance
the purport of this epistle will be to transmit to y
such printed or traditionary historical anecdot
of the Collinses of whatever character or profe
sion, rogue, villian, or honest, as have come
my knowledge, I begin with

"*James Collins*. Wool-comber of the Devizes
(This character is not worth reciting)

"*Collins*; he that wrote the "Scheme of Lit
ral Prophecy" I know not his other name, ne
ther have I read his works, but I find he is like
Jackdaw with borrowed feathers, for Chandle
Brown, Newton, and others have been pecking
him, and saith that he is a retailer of scraps fro
others, as Porphyry, Grotius and others, and hat
not advanced any thing of his own. I find he i

an author on the side of those falsely called free-thinkers, so of consequence, a denier of the necessity and usefulness of a divine revelation; and for which I am sorry that any of my name should be so wicked thus in defiance of the Almighty Just Jehovah, to undertake the cause of the Devil, and openly declare himself his advocate. "My soul come not thou into their secret; unto their assembly mine honour be not thou united" (The writer then goes farther into this subject, in which it is hardly necessary to follow him.)

"*Dr Samuel Collins*, was one of the College of Physicians, and wrote a "Treatise of Comparative Anatomy" 2 vols. folio. With excellent plates yet it sells for a trifle.

"*William Collins* the poet. His writings seem to shew him to be a person of fine sensations, such as his "Ode on the Passions" and the "Ode on Music" his "Oriental Eclogues" &c.

"*John Collins*, D. D. A presbyterian minister at Norwich, author of many treatises on Divinity. One on Providence. I have his picture which Mr. Overton sent to me from London."

"*John Collins*, F. R. S. The English Mœcenas, a valuable man in his days, not only a theoretical writer, but a practical workman; I have his "Geometrical dialling" and his "Epistolæ Commerciales." Tis said of him that he was one of the first promoters of the Royal Society; but if not, he was one of the first members at its institution."

"*John Collins*, one of my ancestors, said to have been a soldier in the civil wars in Charles I's.

reign; been taken prisoner, and put in a church, there was a Cartel of thirty, and he being the last called, was so transported to be released from his confinement and hard keeping (having horseflesh for meat, and scarce enough of that) that he leaped clean over one of the pews into the alley."

"*Hercules Collins*, another of my ancestors, a minister turned out of his living at Wapping, 24 Aug. 1662 (called Black Bartholemew Day) was a prisoner in Newgate on account of his religious principles. He was skilled in the Latin, Greek, and Hebrew, as appears by his writings, some of which I have; particularly a controversial piece against Mr. Mence on the subject of Baptism."

"*Henry Collins* My great grandfather, on account of his religious principles was cited in the Bishop's Court, where the process went on till it came to an excommunication, which actually took place, and he died under excommunication, when my grandfather was about 16 years of age, who gave orders to the sexton to dig a grave to bury his father, but the rector of the parish forbad it. So the sexton come and brought him word, who said that his father must be buried somewhere, and that if he were not suffered to lie in the church-yard, he would dig a grave and bury him in his own garden. The sexton unwilling to lose his perquisites, goes to the Rector and acquaints him with what had passed; and at last obtained leave that he might be buried in what was called the unconsecrated ground if Mr. Collins approved of it, which when my grandfather

heard, he very readily acquiesced thereto. Afterwards it became the burial place of others that were strangers or excommunicate, and so had no other consecration than the burial of an excommunicated person. It is in St John's parish Church-Yard on the right hand side, as you go along the south walk from the steps."*

"*John Collins*, my grandfather, after his father's decease, sold the effects, being the eldest child, apprenticed his sisters and then himself, to the same master to whom his father had, Mr. Jeremiah Williams, a glazier who lived at the corner of Morris's lane. In the time of Monmouth's rebellion, a party of King James's soldiers were coming to town who had taken a guide to direct them from Lavington to Devizes, who (as well as most men in the Western parts) being disaffected towards the King, had them through New Lane, a lane about half a mile on this side of Potterne, in order to have their carriages to Devizes; for the public road that now is, was since the memory of many now living, only a sack and pack road, But he might have directed them over Potterne-Clay, and so along Dog-Kennel-Lane to Devizes. When they were come into the middle of this lane, it being a descent from both ends of it, towards the middle, where a small stream of water runs across it; the ground being partly swampy and partly clayey † the

* This is information of an exceedingly valuable kind, and the present inhabitants of Devizes are earnestly recommended to ascertain without delay the precise limits of this dangerous spot.

† This road is still known as New-Lane, branching off as

Carriages stuck; which detained them till midnight, and in the confusion, the guide eloped; which gave the inhabitants of Devizes time to secret some of their effects. My grandfather hid his vice (which is an instrument to draw the lead that is used to separate the quarrels of window lights) in a dung-hill, that, and a diamond to cut glass, being his whole treasure; then put out his candle, opened his doors, and walked about the town."

"The soldiers continued here about two weeks, and king James with them; his head-quarters being at the Pelican, where he dined in public every day, (mem. In that house I imbibed some of the principles of my erudition, learning there the foundation of all literature, the alphabet.) On Sunday, the arms of all the soldiers were grounded in the Hall, with the ammunition and baggage, and no sentry to guard it, being gone to church. There was some of the common people talked of seizing them for the service of the Duke, but as nobody attempted it, nothing was done."

"I forgot to mention to you when writing

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stated above, from the high road, half a mile from Potterne and crossing the valley straight to Furze hill, the remainder of the route to Devizes lying in consequence through Hartmore, Probably the guide's conduct on this occasion was not owing to any great love for the Duke, or unwillingness to serve his employers; for (judging from present appearances) the choice between New Lane and what Mr. Collins terms Dog-kenne lane might be pretty well estimated by the New-England expression of "which and t'other"

about the free-masons, that when the war with France was ended, the French officers who were at Chippenham on their parole; on their way home, came through Devizes, and had twenty one chaises to carry them."

Written from Devizes
In June, 1771. J. COLLINS.

JOHN ANSTIE was an eminent woollen manufacturer, and a citizen in the best sense of the word—born in Devizes about the year 1745—He was chairman of the "West of England association of Clothiers," and during many years, exerted an influence of which he commanded an extensive share, in the advancement of objects of a patriotic kind, principally in the cause of the growth of British wool. The only works of his, at present in the British Museum Library, are 1st. A general view of the bill for preventing the illicit exportation of British wool and live sheep. Bath, 8vo. 1787—2nd. A letter to the Secretary of the Bath agricultural society on a premium for the improvement of British Wool. London 1791.

EVAN THOMAS, styling himself "Astronomer in Devizes, successor to the late celebrated Dr. Henry Season, and member of the Hon. Society of Ancient Britons," was the publisher of an Almanack which being built upon Murphy's model, and attracting notice by the fortuitous realization of some of his conjectures, enjoyed for awhile a considerable share of popularity.

SIR THOMAS LAWRENCE. The father of this

distinguished artist left Bristol and settled at Devizes the same year in which his son was born, 1769. Though the former city claims the distinction of his birth-place, yet the earliest notices, and precocious buddings of his subsequent celebrity are all connected with the town of Devizes. His father had taken the Bear Inn, a house at which all the rank and fashion of the country were accustomed to stop on their way to Bath, then in the height of its celebrity and vogue, and it was here that the infant artist attracted the notice of many of the most celebrated men of the day—among others, Edmund Burke, Sheridan, Garrick, Foote and Wilkes. Much of this attention was owing to the obtrusive pertinacity of his father, who perceiving the graces of his little son, was too fond of exhibiting him, not only in the character of a draughtsman, but that of an actor as well. Garrick loved to retire with him to a summer house in the Bear garden, and there listen to his recitals by the hour. His father persisted in refusing to suffer him to receive any instructions in the art for which he appeared more decidedly destined, and has been very much blamed for his conduct in this respect; though after all, it is very likely that he had the penetration to perceive that the points in which his son excelled were just those which no precept would confer.

The first picture of Lawrence of which there is any distinct record, was one painted at Devizes, when about 7 years of age. It consisted of two

portraits, Mr. and Mrs. Kenyon, and was executed like all his others at that time, in the most unpremeditated manner, during the brief sojourn of the originals at his father's house. During the three subsequent years he had many opportunities of practising his art in connexion with persons of influence and distinction in life; and at the age of 10 he was in possession of sufficient celebrity, to command a public notice and panegyric on his pretensions, in a work retaining its popularity to the present day, the Miscellanies of the Hon. Daines Barrington. The family of Lawrence left Devizes in 1779, the elder Lawrence abandoning the occupation of Innkeeper, with the intention of sharing the fortunes of his rising son. They first went to Weymouth, which was then visited by Royalty, but met with but little encouragement. In 1782 being then only 13, he was established at Bath, and extensively occupied. Six years afterwards, he went to London, and took a house in Leicester square, near that of Sir Joshua Reynolds. At the age of 24, he was made an Academician, and finally became President of that institution. Fuseli who was in the habit of depreciating Lawrence, admitted that his mode of painting the eye had never been equalled, affirming "By Jupiter, he paints eyes better than Titian." Another of his beauties lay in the dreamy, spiritual, unutterable character of his children, notwithstanding that they are full of life and sprightliness. His imitators in this walk, catch at the latter expression but always miss the former.

The following anecdote of his boyhood appears in Williams's account of his life. Having been invited to join an evening party in Devizes, he took with him as usual, the books from which he was in the habit of reciting; having been previously warned by his father to avoid a certain speech of Satan's in Milton, in which he was not considered sufficiently perfect. While going through his exhibition before the company, a slip of paper dropped from his Milton, which a gentleman picking up, read aloud. "Tom, mind you dont touch Satan." The desire to hear him on the forbidden topic was just so much the more encreased, but Tom was inexorable, and refused to advance a step till those present had offered fully to guarantee him from his father's displeasure. Whereupon the fiend was handled, and to the general satisfaction.

There lived at that time a reverend gentleman at Whistley-house, who was known by the name of Dr. Kent, noted for his eccentric habits, and that he rarely stirred abroad unless mounted on a veteran white charger. One day he drew his bridle at the door of the Bear Inn, and summoning the Landlord, demanded to be shewn a representation of himself and horse, which he understood had given birth to much merriment at his expense. Mr. Lawrence expressed his entire ignorance of the circumstance, but suspecting the truth, sent for his son, who forthwith leading his father and the Doctor up stairs, exhibited to them on the wall of one of the bedchambers, a sketch

which both were fain to knowledge was a veritable likeness. The Doctor so far from entertaining any remaining resentment towards its author, led him to the shop of Mr. Burroughs (Mr. Smith's predecessor) and requested him to make choice of a variety of books, at the same time urging on his father the propriety of fostering a talent so prominently displayed.

Lawrence's early pictures were executed either in crayons or water colours: two or three good specimens of this latter style may be seen in the Dulwich Gallery. A similar one was for many years in the possession of Mr. T. B. Smith of Devizes, being the portrait of a Miss White, of the Castle Inn, at Marlborough. At the period of the sale of Watson Taylor's effects at Stoke park, her Majesty, then the Princess Victoria, while stopping for a few minutes at the Bear Inn Devizes, recalled the circumstance of its having been the scene of Sir Thomas's juvenile career, and enquiring if any of his early productions were still extant, was informed of the existence of the one in question. It was accordingly conveyed to her, and remained in her possession while the party visited Stoke. The Princess even made a copy of it just before leaving that seat in her progress to Stonehenge. It now forms part of the royal collection, having been very recently purchased by her Majesty; on which occasion she well remembered the circumstances connected with her first sight of it, and alluded to the sketch she had then taken.

FINIS.

APPENDIX.

The following is an abridgment of the petition of Sir Peter Vanlore's heirs relative to the notorious conspiracy to deprive them of their inheritance of the Castle and Parks of Devizes during the Protectorate. "To the Honourable the Parliament of the Commonwealth of England Ireland and Scotland—The humble petition of Mary Countess of Sterling and John Blount her husband; Sir Robert Crook knight, and Dame Susan his wife: Henry Alexander *alias* Zinzan, and Jacoba his wife: Sackville Glenham and Peter Glenham, all being the grand-children and right heirs of Sir Peter Vanlore the elder, and of Dame Mary Powell his daughter, (late the wife of Sir Edward Powell deceased) that is to say, daughters and heirs of Sir Peter Vanlore the younger, deceased, only son and heir of Sir Peter Vanlore the elder. SHEWETH

THAT the said Peter Vanlore the elder did in his life time settle the Castle and Parks of the Devizes in Wiltshire (worth £600 yearly) and the fifth part of divers others his manors and lands (worth £2500 yearly) upon the said Lady Powell his daughter and the heirs of her body; and for default of such issue, the reversion of the said Castle and Parks to his own right heirs, which your petitioners are; and entailed the said fifth part of his other manors and lands upon all your petitioners and divers other his grandchildren by name, and died; and the said Lady Powell about the 6th day of October 1651 died without issue, and your petitioners ought to be thereby entitled to the said Castle and Parks and to proportionable parts of the fifth part aforesaid.

THAT because the said Sir Edward Powell could not prevail with his said wife (by whom he had no issue) to

disinherit her own heirs, and settle her estates on himself and his kindred, he threatened and in many ways abused and evil-entreated her, so that their differences becoming implacable, they lived apart, keeping each a several house for fifteen years before her death.

THAT one Thomas Levingstone having married Anne Cæsar *alias* Adelmare a neice of Lady Powell, divers unlawful means and practices were attempted by her and by Robert Levingstone) brother or kinsman of the said Thomas) and John Preston a servant, to induce Lady Powell to dispose of her estates to Anne Levingstone, as namely, tampering with a witch, and delivery of Lady Powell's hair, and paring of her nails, to be made use of in some unlawful ways in order to obtain the ends aforesaid. Moreover the said Anne Levingstone (being without issue) in order to interest Lady Powell in her behalf, having purchased a dead infant, did solemnly lay in therewith and sent word to her that she had been delivered of a child. But Sir Edward Powell, Thomas Levingstone and his wife all failing in their single attempts, and the Lady about the beginning of September 1651 falling dangerously ill of the sickness whereof she soon died, at a house in Chelsea which had been purchased by her mother the Lady Vanlore and wherein she had long lived sole and separate; these persons together with one William Hynson *alias* Powell (a Justice of peace in Middlesex and a nephew of Sir Edward Powell) Robert Levingstone, John Preston, Adam Brown, Honour Emet, Anne Barnes and other their servants and confederates did on or about the 7th of September forcibly enter and take possession of the said house at Chelsea, to which none of them had any title, and guarded it with divers desperate persons armed with swords grenadoes and pistols and hired to do execution on any that should venture to enter without leave. They chained up the doors and made shuts for the windows of the Lady's

Chamber lest she should make her complaints known through that means. They discharged her Apothecary employed by her Physician Sir Theodore Myhern, and introduced another unacquainted with her numerous infirmities. They caused all her servants to be arrested by the Under Sheriff of Middlesex whom they brought with them, upon false and feigned actions of many thousand pounds at the suit of Sir Edward, (which of course were never prosecuted) and though sufficient bail was offered, they refused to take it. One infirm old woman they shut up and kept close till she died, and when Mr. Under Sheriff removed the other servants, Mrs. Levingstone cried out with great joy, "*The plot hath taken—The plot hath taken.*"

That on the 18th of September they induced the late Judge Warburton one of the Judges of the Common Pleas, to come from London to the house, who procured the Lady (as the late Judge testifies) to levy seven several fines of the Castle and Parks and fifth part aforesaid unto one Anthony Bassett, an Apothecary, a recusant Papist, of Mrs. Levingstone's acquaintance, but a meer stranger to Lady Powell; which fines, as the complotters affirm, were declared by some writings sealed by the lady, to the use of Sir Edward Powell, Thomas Levingstone and his wife. And Levingstone at the same time framed another writing whereby as he pretends the Lady gave unto Mrs. Levingstone and her confederates, a personal estate to the value of £40,000, which had belonged to your petitioners' grandfather, though it is well known that Lady Powell utterly detested Levingstone and his wife, as persons of an evil and dangerous conversation, and had been ofttimes heard to lament that Anne Levingstone was one of her kindred; whereas she was heard to express herself with much affection towards the Lady Crook, saying "she must and would do well for her neice Crook who had ever been loving to her, and besides had

many children." And the said confederates, suspecting (as they had cause) that the sudden death of the Lady Powell, who died thus imprisoned on the 6th of October, might render all their fines ineffectual, they procured by William Garner and Attorney several writs of Covenant and *Dedimus protestatem* for passing the said fines, to be made out with antedates of the first and second days of Trinity-term before, and made returnable the same Trinity-term. And to deprive your petitioners of all possibility of relief by writ of Error or otherwise they caused the same fines to be enrolled of record as acknowledged and levied in the said Trinity-term (being about four months before themselves pretend they were acknowledged) and contrary to the intent of the Statute, 23rd Elizabeth, and ancient practice; which course is so dangerous, if admitted, as tendeth to the deceiving of all such as shall purchase land, and may tend to the disinherison of many others.

THAT in order to cover their wicked designs with the mask of godliness, they procured one Thorold (a sequestrated divine and a stranger to the Lady, to reside in the house; and excluded the minister of the parish, though Lady Powell much affected him, and especially his wife with whom she had lived many years in the Lady Vanlore's house. After Lady Powell's death, Thorold preached her funeral sermon and published from the pulpit her reconciliation with Sir Edward her husband, and that she had made Mrs. Levingstone her heir according to former promises. And they afterwards gratified the said Thorold for so doing. Mr. Levingstone, also wrote with his own hand a certificate of Sir Edward's kindness to his lady, to which he pretends she subscribed; though on the very day after the certificate bears date, she is known to have cried out for relief, and said that she knew they were plotting to make her disinherit her right heirs, but that she would be torn with wild

horses first. And this Certificate having been produced and read in the Court of Common Pleas, did appear to the Judges of so strange a nature, that they publickly told Levingstone, he had overacted his part therein.

THAT the said Hynson *alias* Powell, and his uncle Sir Edward were bound by recognizances to some persons in trust for the Lady Powell's sole and private benefit, in the sum of £8000 with defeazance to be void by payment of £4000, and that £2000 (part thereof) was to have been paid by the said Sir Edward and Mr. Hynson, (for the Lady's benefit) on the very month wherein she died thus imprisoned; by which it is evident they sought their own advantage in aiding Levingstone and his wife who have power to discharge this debt of £8000 if the writings thus unduly obtained, be upheld. Moreover the complotters had during the life time of Lady Powell, requested one Mr. Vandenbemden a grandchild interested in the lands in question, to join them, but he refused, and conscious of their own insufficient title, they have since (by articles ready to be produced) agreed with Mr. Vandenbemden, to re convey unto him, or to his use, his share of the lands in question.

THAT your petitioners having addressed themselves unto the late Judge Warburton, to stop the passing of the fines, he had lamented to them that it was out of his power to do so now, but if he had known so much before he would not have taken them. That your petitioners therefore on the first day of the next ensuing term complained to the Court of Common Pleas, when the Chief Justice and Judges Paliston and Atkins, though they did vehemently express themselves against the foulness of the said practice, yet said that it was now too far proceeded in; but that there was a Parliament then sitting that might and they believed would relieve them. Your petitioners did therefore address themselves unto the two late Parliaments, but both were dissolved before the re-

port was made, though the case had been fully heard and proved on oath.

Your petitioners therefore, being the parents of above twenty children, do humbly beseech your Honours to vouchsafe them relief—that the said fines may be nulled and vacated and offenders punished. to the discouragement of all such as may hereafter attempt a deathbed disinherison by so foul a practice." NOVEMBER 1654.

Note. By old Sir Peter's settlement, Mistress Levingstone, though she hath no child, is to have a fourth of the fifth part aforesaid, although the fines be vacated.

The above is extracted from the "King's Pamphlets" in the British Museum.

JAMES II. AT DEVIZES. It is rather difficult to say, how much credence is to be reposed in Mr. Collins's tradition on this subject. None of the King's letters (at least of those in Sir John Dalrymple's Collection) are dated from Devizes. It may have been only one of his officers, here or perhaps the circumstance was connected not with Monmouth's, but the Prince of Orange's invasion. When the King ordered his army westward on that occasion, (Nov. 1688) it was divided into three portions and stationed at Marlborough, Warminster, and Salisbury. James arriving at Salisbury on the 19th and hearing that the enemy was advanced to Axminster and Chard, intended to go towards them with the regiments from Warminster, but his nose fell a bleeding the evening before he purposed starting and continuing to do so for three days, the design was abandoned and he determined on falling back towards the Capital. An order was sent to Major General Kirke then commanding at Warminster, to march to Devizes and thence to secure the country towards Reading, but that officer, under some frivolous excuse neglected to execute the command, and the King in consequence instantly ordered him under arrest. The retreat was then continued to London and Windsor.

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